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# ENVIRONMENTAL ASSESSMENT BOARD

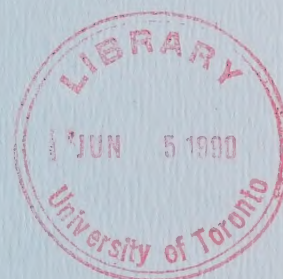
VOLUME: 205

DATE: Thursday, May 24, 1990

BEFORE:

A. KOVEN, Chairman

E. MARTEL, Member



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HEARING ON THE PROPOSAL BY THE MINISTRY OF NATURAL  
RESOURCES FOR A CLASS ENVIRONMENTAL ASSESSMENT FOR  
TIMBER MANAGEMENT ON CROWN LANDS IN ONTARIO

IN THE MATTER of the Environmental  
Assessment Act, R.S.O. 1980, c.140;

- and -

IN THE MATTER of the Class Environmental  
Assessment for Timber Management on Crown  
Lands in Ontario;

- and -

IN THE MATTER OF a Notice by the  
Honourable Jim Bradley, Minister of the  
Environment, requiring the Environmental  
Assessment Board to hold a hearing with  
respect to a Class Environmental  
Assessment (No. NR-AA-30) of an  
undertaking by the Ministry of Natural  
Resources for the activity of timber  
management on Crown Lands in Ontario.

-----  
Hearing held at the Red Dog Inn, 200 Stewart  
Street, Fort Frances, Ontario, on Thursday,  
May 24th, 1990, commencing at 9:00 a.m.

-----  
VOLUME 205

BEFORE:

MRS. ANNE KOVEN  
MR. ELIE MARTEL

Chairman  
Member





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I N D E X     O F     E X H I B I T S

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1171	Photographs of the Sedgwick Lake Road.	36432
1172	Schedule B to an agreement between MNR and a tree planting contractor.	36436
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1177	Copy of written presentation by Mr. Jack Hedman.	36651
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<u>Exhibit No.</u>	<u>Description</u>	<u>Page No.</u>
1181	Copy of Notice of Aerial Spraying, Fort Frances Times, Wednesday, May 16th.	36671
1182	April, 1990 version of study entitled: Winter Utilization by Moose of Glyphosate Treated Cutovers by Connor and McMillan.	36675
1183	Two newspaper articles appearing in Fort Frances Times Wednesday, May 23, 1990 submitted by Mr. Hedman.	36690





1 ---Upon commencing at 9:00 a.m.

2 MADAM CHAIR: Good morning, ladies and  
3 gentlemen. Please be seated.

4 Welcome to the third session of the  
5 Timber Management Hearing. I see there are some  
6 familiar faces from yesterday, but I will quickly go  
7 through some introductory remarks beginning with who we  
8 are and what we are doing here.

9 My colleague Elie Martel is well-known in  
10 Ontario, he represented northern interests in the  
11 Ontario Legislature for 20 years. The Board is very  
12 fortunate to have Mr. Martel on this panel. My name is  
13 Anne Koven and I'm the Chairperson of the Timber  
14 Management Hearing.

15 Mr. Martel and I are two members of the  
16 Environmental Assessment Board of which there are about  
17 12 members in total. We are appointed by the Ontario  
18 government for terms of three years. Members are  
19 appointed from around the province.

20 The two of us are conducting this hearing  
21 but our colleagues are busy doing other hearings, and  
22 you might have heard of those projects, they include  
23 the Ontario Waste Management Corporation Application,  
24 various landfills, and the Ontario Hydro Demand/Supply  
25 Plan Hearing that is coming up.

1                   We are assisted in our work by Michele  
2           Devaul, Ms. Devaul is standing by the door in the black  
3           jacket, and Trudy Taylor who has stood up in the white  
4           jacket also by the entrance to this room. If you have  
5           any questions about the Board or questions about the  
6           environmental process generally, the environmental  
7           assessment process you can speak to Ms. Devaul about  
8           that.

9                   What is it that we do exactly? What Mr.  
10          Martel and I do is that we listen to evidence about the  
11          Ministry of Natural Resources application for timber  
12          management planning in Ontario. We have been doing  
13          this for two years now and we have racked up 200  
14          hearing days, mostly in Thunder Bay. There are about  
15          40 pages of transcripts involved in the project so  
16          far -- 40,000. Did I say 40, pardon me, 40,000.

17                  We will be visiting 14 communities  
18          throughout Ontario holding hearings like this one. Mr.  
19          Martel and I will be listening to all of the evidence  
20          and we are guided by the Environmental Assessment Act  
21          which requires us to assess the potential environmental  
22          impacts of this application. Environmental is defined  
23          very broadly and it also includes the social and  
24          economic impacts of timber management planning.

25                  At the end of the day when we have heard



1 all the evidence we will go away and make our decision.  
2 We will either deny the application or approve it.  
3 Should we approve it, we would attach conditions to it  
4 and the application or the activities would be carried  
5 out on the basis of those conditions.

6 We are dealing with a complicated process  
7 and in meetings like this we try to make the audience  
8 feel that they should be comfortable in standing up and  
9 saying to us whatever it is they want to say.

10 We recognize that it's a very difficult  
11 thing to do, to stand up in front of a crowd and speak  
12 your mind, but we certainly welcome that. Don't feel  
13 that you are wasting your time. We haven't come to any  
14 decision on this application and we rely on information  
15 from people such as yourselves and we listen very  
16 carefully to everything that you say and discuss it.

17 We keep the rules very simple about these  
18 meetings, and there are a couple of them that I will go  
19 through quickly. First of all, this morning we are  
20 going to call on people who have gotten in touch with  
21 us and said that they wanted to make a brief  
22 presentation today. There are four people this morning  
23 we will be hearing from. Following that we will open  
24 the floor to comments from anyone else who wishes to  
25 say something to the Board.

1           Anyone is free to ask questions of anyone  
2           who makes a presentation to the Board. This is part of  
3           our process, to make it fair for all parties to clarify  
4           something that they don't understand. Don't feel that  
5           you are being interrogated by questions or don't feel  
6           intimidated by them.

7           There are some full-time parties present  
8           at the hearing. These parties have been with us  
9           regularly over the last 200 days we have been sitting  
10          and I might introduce some of these people to you in  
11          the event that they stand up and ask a question, you  
12          will know who they are and which interests they  
13          represent.

14          I will start with Vic Freidin who  
15          represents the Ministry of Natural Resources, Catharine  
16          Blastorah who also represents the Ministry of Natural  
17          Resources; Dr. Terry Quinney and Mr. Ed Hanna who are  
18          with the Ontario Federation of Anglers & Hunters; Mr.  
19          Paul Cassidy who represents the Ontario Forest  
20          Industries Association and the Ontario Lumber  
21          Manufacturers Association; Betsy Harvie who represents  
22          the Ministry of the Environment; and Mr. Peter Davidson  
23          who represents Forests for Tomorrow which is a  
24          coalition of environmental groups.

25          If you have a written presentation to

1 make, we will give it an exhibit number. This helps us  
2 keep it straight for our records. We would also ask if  
3 you feel comfortable about doing so, to come up to our  
4 table and be sworn in before you make your submission.  
5 If you are not comfortable with that, then you don't  
6 have to do it.

7 Everything that is being said today is  
8 put into a written transcript. The copies of the  
9 transcripts are available in Fort Frances in your  
10 public library. All the transcripts of everything that  
11 has gone on at the hearing are housed in the library,  
12 anyone is free to go in and research them and read them  
13 whenever you want.

14 We have two court reporters who work with  
15 us, Beverley Dillabough and Marilyn Callaghan who do  
16 the transcribing. They are sitting on my right.

17 And I think that finishes the  
18 introduction and we will get started with our first  
19 speaker this morning who is Mr. Robert Dakin from OPSEU

20 Mr. Dakin?

21 MR. DAKIN: Good morning. My name is  
22 Robert Dakin. I am president of Local 711 of OPSEU  
23 and, as a consequence, I represent a number of  
24 technicians and foresters that work here in the Fort  
25 Frances district and I hope that the two questions I



1 have to put to you are kept in light of the fact that I  
2 do represent field technicians who will be dealing with  
3 whatever transpires from these hearings and whatever  
4 management plans come forth from the hearings.

5 The first question I have to ask is: How  
6 does or will the EA include a protective mechanism for  
7 public servants From retribution from his or her  
8 employer to speak out against detrimental action to the  
9 forest?

10 And the second question I have: Will the  
11 EA recommend and institute an independent environmental  
12 Ombudsman to deal with any and all concerns?

13 And those are my two questions.

14 MR. MARTEL: The first question is?

15 MR. DAKIN: How does or will the EA  
16 include a protective mechanism for public servants from  
17 retribution from his or her employer to speak out  
18 against detrimental action to the forest?

19 I can leave this sheet with you if you  
20 wish.

21 MADAM CHAIR: Thank you, Mr. Dakin.

22 MR. DAKIN: And the second question:  
23 Will the EA recommend and institute an independent  
24 environmental Ombudsman to deal with any and all  
25 concerns?

1                   MADAM CHAIR: You have raised two  
2           interesting issues, Mr. Dakin. We don't answer  
3           questions, in the sense that we have no opinions about  
4           these matters. We say that as a mutual Board we will  
5           look at them, but certainly if you have more to add to  
6           those two points we are very interested in hearing  
7           them.

8                   MR. DAKIN: Well, the reason behind the  
9           first question, there has been in the past,  
10          particularly in Thunder Bay - some people may be  
11          familiar with the situation in which a forester  
12          approached his MPP with concerns that he had as to how  
13          various practices were being carried out in the Thunder  
14          Bay district and, as a result, he was dismissed from  
15          his position and had to go through a grievance  
16          procedure in order to be reinstated. He was reinstated  
17          and all charges, if you will, against him were  
18          withdrawn.

19                   And our concern is that a technician --  
20          my concern is in this district anyway that a technician  
21          that is in my local should feel that he or she can  
22          possibly go to somebody outside of the Ministry with  
23          his or her concerns regarding the way that operations  
24          are being carried out, especially if they feel that  
25          these operations are detrimental to the environment.

1                   MR. MARTEL: Do your members have to take  
2                   an oath that they will not divulge any of that material  
3                   to...

4                   MR. DAKIN: When they come on staff, on  
5                   permanent staff there is an oath. I am not sure - and  
6                   maybe Tim Taylor could tell you - whether or not the  
7                   same holds true for summer seasonal people.

8                   The one drawback, as you can appreciate,  
9                   with that oath that they take is that they have to  
10                  stand by -- since they're not allowed to reveal, you  
11                  know, certain information they have to stand by and  
12                  watch a forester or other technicians go about their  
13                  duties and these duties might and could possibly be  
14                  detrimental to the welfare of the forests and other  
15                  resources, the lakes and rivers and so forth, and in  
16                  the long run detrimental to the economy of this town.

17                  MR. MARTEL: Is there no mechanism within  
18                  the Ministry to your knowledge for sorting that out?

19                  MR. DAKIN: Apparently there isn't  
20                  because the situation that transpired in Thunder Bay a  
21                  few years ago indicated that there was no mechanism.

22                  You come up against your supervisor and  
23                  if he doesn't want to do anything about it you are sort  
24                  of stuck. And the forester involved in that situation  
25                  in Thunder Bay came up against that wall and the only



1 way that he could bring it to the attention of somebody  
2 that could and would do something about it was to take  
3 it to his MPP.

4 Now, as a result of that there may be  
5 something in place now that I am not aware of and, if  
6 so, then this question becomes redundant, but we would  
7 still like this concern placed before you and on your  
8 records so that there can be some answer to it or  
9 further down the road if something transpires we have a  
10 record that this concern was brought up.

11 MR. MARTEL: Will it not be in the  
12 planning process though, as opposed to what was the  
13 situation years ago, the very fact that the planning is  
14 now going on and there is opportunity for input to the  
15 planning team, will that sort of situation that  
16 McAlpine was worried about, would it not show up in the  
17 plan as saying there is not enough wood in a specific  
18 area to allow this sort of cutting to occur?

19 MR. DAKIN: I would hope that the  
20 foresters - and I have dealings with the foresters in  
21 this district - are intelligent people and would  
22 recognize that you can't go and cut in certain areas  
23 because there isn't enough wood.

24 However, in the past I have seen in this  
25 district - the staff that was involved in the situation

1 is no longer here, so I don't feel too bad about  
2 talking about it in front of them - is that we would  
3 have some people come into our office and the forester  
4 having made out his five-year management plan for a  
5 certain area would say: No, I am sorry, sir, but you  
6 cannot go cutting in there because the trees are too  
7 young, too sparse or whatever, and somebody would come  
8 into the office whose more favourably disposed to that  
9 forester and would get that same area to cut.

10 And that is a small thing, but it's one  
11 of the things that we are concerned with, that if this  
12 political gamesmanship, if you wish, takes place we  
13 want to be able to be in a position where we can bring  
14 it to somebody's attention without fear of retribution.

15 MADAM CHAIR: In OPSEU, Mr. Dakin, are  
16 you representing the forest technicians?

17 MR. DAKIN: I represent all of the  
18 management -- all of the bargaining personnel in this  
19 local which there are approximately 40 to 45 members of  
20 my local, and I would say close to half - just off the  
21 top of my head - close to half of them are field  
22 technicians, timber technicians, lands technicians and  
23 fire technicians. I also represent two of the  
24 foresters involved in the planning process here.

25 MR. MARTEL: The practice you speak

1 about, that's a thing of the past insofar as you are  
2 concerned?

3 MR. DAKIN: And as far as I am aware it  
4 is in the past. As I said, the people that were  
5 involved in it are no longer in this district and from  
6 what I can determine it no longer takes place.

7 The second question that I have got there  
8 may be a sort of a softening of the first question, in  
9 that -- if the second concern is implemented in that  
10 there is an Ombudsman involved that's sort of a liaison  
11 person between the public and hopefully my members and  
12 the government and he or she would possibly be the  
13 first step, or maybe the final step before the first  
14 question is something that has to be dealt with.

15 MADAM CHAIR: Does anyone else have a  
16 question they would like to ask of Mr. Dakin?

17 Mr. Hanna?

18 MR. HANNA: Mr. Dakin, I just wanted to  
19 understand the mechanism. I think you are suggesting  
20 the Ombudsman might be one of the mechanisms that you  
21 could see to deal with your first question; is that  
22 correct?

23 MR. DAKIN: Yes, that's right. In the  
24 past Ombudsman or the position of the Ombudsman has  
25 shown to be able to carry out quite a few situations or



1 handle quite a few situations and we are kind of hoping  
2 that if the Ombudsman is put into place that that would  
3 be our outlet, so to speak, or our line of action.

4 MR. HANNA: Are there other mechanisms  
5 that you had in mind that you might suggest to us as  
6 ways that you are familiar with that your concerns  
7 might be addressed, in addition to the Ombudsman?

8 MR. DAKIN: The way that it's set up for  
9 those of us who work in public service, there are not  
10 too many mechanisms other than going to the particular  
11 person involved such as the management forester in this  
12 case and telling him or her your concerns.

13 The problem comes when those concerns are  
14 addressed to that management forester and nothing is  
15 done about them, or they are dismissed as the rantings  
16 of a militant unionist. And we're unionists, but I  
17 wouldn't say that we're militant, we are concerned with  
18 the environment, particularly in and around Fort  
19 Frances since this is where we live.

20 MR. HANNA: You had mentioned that the  
21 favouritism that you had expressed with respect to  
22 cutting rights isn't happening at the present time. Is  
23 it still possible however to happen, if it was -- if  
24 whatever powers were to be present that that was deemed  
25 to be the way you want to go?

1                   MR. DAKIN: It's still possible as far as  
2 I am aware, but I would like to think that the people  
3 that are handling the management plans here now are  
4 honourable people and would manage the resources in  
5 such a way that it's to the betterment of everybody  
6 concerned and not in a politically expedient matter.

7                   MR. HANNA: And one of the ways to make  
8 it not possible would be to have the environmental  
9 Ombudsman, so that that responsibility that your  
10 employees or your members feel would be able to have an  
11 outlet; is that correct?

12                  MR. DAKIN: Yes, it would be a safety  
13 valve so to speak in which they could talk to somebody  
14 and the Ombudsman would possibly have a little bit more  
15 weight behind him or her in discussions with management  
16 personnel that I wouldn't have or the technician in the  
17 field wouldn't have.

18                  MR. HANNA: And the dealings that you  
19 would see with the Ombudsman, you would want that to be  
20 in confidence, at least until he's made a finding,  
21 between the employee and the Ombudsman?

22                  MR. DAKIN: It would probably be best in  
23 the beginning of course, but by the same token it would  
24 be up to management to determine whether or not they  
25 want it kept in confidence.

1                   The militancy of our Union is not great  
2       but when we see a concern we like to make it public.  
3       If negotiations can be made in private and the  
4       situation resolved in private, fine and dandy; if it's  
5       not done in private, if it's not resolved in private,  
6       then we will bring it to the public. We prefer the  
7       soft way rather than the hard way.

8                   MR. HANNA: Thank you, Mr. Dakin. Those  
9       are my questions, Madam Chair.

10                  MADAM CHAIR: Thank you, Mr. Hanna.

11                  Mr. Dakin, do your members in the Fort  
12       Frances area have contact with the regional people of  
13       the Ministry of Natural Resources?

14                  MR. DAKIN: Yes, we do. There are no  
15       restrictions in the lines of communications between the  
16       person that's out in the field as a supervisor of a  
17       tree plant and the person in Kenora who might be the  
18       head of the timber branch in Kenora. There are lines  
19       of communications that are wide open between that same  
20       field person and the district manager here in Fort  
21       Frances.

22                  As things stand right now there are no  
23       restrictions on who you go and talk to and what you say  
24       to the management people, and it's a situation that is  
25       very refreshing and I find it very much so in this



1 district. I have no problems myself. If I wish to  
2 talk to a district manager to make an appointment with  
3 him -because he's a very busy man - and I can go and  
4 talk to him on any topic whatsoever. So there are no  
5 problems at all of talking from the lowest level up to  
6 the highest level.

7 MADAM CHAIR: So if there were a  
8 situation today where one of your members felt there  
9 was a bad practice in the bush in some respect and felt  
10 that they weren't getting a satisfactory response from  
11 the local management, would they then feel free to talk  
12 to other people at the Ministry?

13 MR. DAKIN: They would. As I said, right  
14 up to the regional level anyway, I am not sure about  
15 beyond that. But if we don't get satisfaction at the  
16 local level we feel free - and we have done it in the  
17 past - to go to the regional level, and if the  
18 situation isn't resolved there, we have people who will  
19 take it to the provincial level for us.

20 I'm not speaking in the manner of a  
21 formal grievance or anything like that, it's just that  
22 we have the lines of communication that are open all  
23 the way to the top. We have taken concerns right to  
24 the Minister himself, herself, or the Deputy Minister.

25 So in this region in this Ministry, as

1 far as I can see, there are no restrictions on the  
2 lines of communication, just possible restrictions on  
3 how problem is resolved.

4 MADAM CHAIR: And this is where you see  
5 an Ombudsman being useful?

6 MR. DAKIN: An Ombudsman might come into  
7 the position where if we aren't able to resolve it on a  
8 regional basis, that he or she could possibly step in  
9 at that point.

10 We're not placing any restrictions on  
11 where the Ombudsman would be located physically or  
12 managerial wise; if that person was in Toronto and  
13 dealt with the whole province, we would have no  
14 problems there.

15 We're not looking strictly on a local  
16 basis because of finances, it would be silly on our  
17 part to expect to have an Ombudsman strictly located  
18 here in the northwest region, unless the government saw  
19 fit and saw the requirement for that.

20 MADAM CHAIR: Thank you, Mr. Dakin.

21 Are there any other questions for Mr.  
22 Dakin?

23 (no response)

24 All right, thank you very much, sir.

25 Mr. Howard Hampton?

1 Good morning, Mr. Hampton.

2 MR. HAMPTON: Good morning.

3 MADAM CHAIR: Mr. Hampton is a member of  
4 the Provincial Legislature for Rainy River.

5 Mr. Hampton, would you like to be sworn  
6 in?

7 MR. HAMPTON: Yes, thank you.

8 HOWARD HAMPTON, Sworn

9 MR. HAMPTON: Good morning, Madam  
10 Chairman, Mr. Martel and, I gather, interested parties  
11 and interested members of the public.

12 My submissions today are really a summary  
13 of the forest management issues which my constituents  
14 have raised with me over the past three years.

15 I don't think I need to tell you that as  
16 the member of the Legislature for this area it is a  
17 region of Ontario that is heavily dependent upon the  
18 forest industries.

19 A number of small villages depend upon  
20 sawmill operations. Many of the people who live in the  
21 rural area work in the logging industry, many of the  
22 people who live in Fort Frances work in the papermill  
23 or work for Ministry of Natural Resources. In  
24 Atikokan, many of the people work at Proboard or at the  
25 Sapawe sawmill and so on. So it's a very important

1 industry for our area.

2 My own background. Just to make some  
3 confessions, I am not a forester, I am not a logger.  
4 Although I have lived here basically all of my life,  
5 and at one time all of my family worked in the logging  
6 industry. When my grandfather first came out from  
7 Sweden, he and all of his brothers worked as loggers.  
8 In fact my grandfather has the distinction of once  
9 having logged in Quetico Park which, as you know, is no  
10 longer permitted. For many years he owned  
11 Gustason/Matheson Logging Company and, as I said,  
12 virtually all of my family at one time did work in the  
13 logging industry.

14 The issues that I want to deal with  
15 represent the views of forest management technicians  
16 who work on the ground floor or who have worked on the  
17 ground floor of Ministry of Natural Resources forest  
18 management, are professional foresters who have  
19 performed contract work for the Ministry of Natural  
20 Resources, for Boise Cascade Canada or for Canadian  
21 Pacific Forest Products, of loggers who work on  
22 scarifying contracts for the Ministry of Natural  
23 Resources and on various FMAs.

24 I have trappers and tourist operators who  
25 are very concerned about the effect that herbicide and



1 pesticide sprays have on our wildlife populations,  
2 particularly bear, moose and deer and the effects which  
3 large clearcuts have on moose and marten populations.

4 I want to deal with the following  
5 specific issues in order. First of all, I want to talk  
6 briefly about wood utilization. In a rationale system  
7 of timber management, one would expect that there would  
8 be minimal waste of wood fiber, when trees are cut they  
9 are used in the most productive way possible and in no  
10 case should they ever be left in the bush to rot or be  
11 burned.

12 Unfortunately, I think there are still  
13 too many examples of waste wood left behind and a lot  
14 of waste wood left behind. Let me refer to a few  
15 specific examples and I brought some photographs with  
16 me so that that -- I think they illustrate the point.  
17 One of the tasks which I get to do a lot as the MPP for  
18 this area is I get to drive all these highways, some of  
19 the newer highways.

20 One of the -- one highway incident which  
21 upset a lot of people, loggers, people who work for the  
22 Ministry of Natural Resources and just people who are  
23 concerned about our forests was when Highway 622, the  
24 Bending Lake Highway was built. It's a highway that  
25 was under construction from 1979 to 1989. When its

1 construction was first announced, the right-of-way was  
2 identified and surveyed, which is normal procedure.  
3 Over the next few years, the right-of-way was cut, most  
4 of it through prime jack pine forest.

5 Now, as I said, in a rationale forest  
6 management system one would expect that the Ministry of  
7 Natural Resources would have insisted that all of this  
8 wood go to either a sawmill or a pulp and paper mill  
9 and who have required the appropriate planning to  
10 ensure that this happened, but it didn't happen. The  
11 prime jack pine was piled by the side of the road, some  
12 of it was used to corduroy Highway 622 over swamp, a  
13 lot was burned and much of it still remains by the side  
14 of the road. A complete waste of valuable wood fiber.

15 What's wrong with that process? As soon  
16 as the Ministry of Transportation identified the Crown  
17 land needed to build the right-of-way for the road, the  
18 MNR timber cruised the right-of-way to determine the  
19 volume and the value of the timber on the right-of-way.  
20 When the Ministry of Transportation took over the road  
21 right-of-way, the Ministry of Natural Resources billed  
22 them for the Crown dues, the stumpage fees, and then  
23 the Ministry of Transportation became the owners of the  
24 wood on the right-of-way, and this is just a technical,  
25 legal relationship.

1                   Now, the Ministry of Transportation,  
2 unfortunately, is not interested in wood utilization,  
3 so instead of building the road in a logical sequence  
4 from mile and progressing up the road to Highway 17,  
5 the TransCanada Highway, they started halfway up the  
6 road and jumped up and down the road in eight and ten  
7 mile stretches finishing the last, roughest stretches  
8 in the final few years that the road was built.

9                   Because most of the valuable wood lay  
10 midway along highway, it was not feasible to salvage  
11 the wood cut off the right-of-way. A few loads were  
12 trucked down to Atikokan, but due to the condition of  
13 the old access road a couple of logging trucks were  
14 wrecked and so, as a result, the salvage operation  
15 ended. The last stretches to the finished road -- the  
16 last stretches to be finished were the first ones that  
17 should have built to allow logging traffic to get all  
18 wood out.

19                  Now, who is at fault in this scenario?  
20 If you ask the Ministry of Natural Resources, they will  
21 say the Ministry of Transportation is because the wood  
22 is the responsibility of the agency or company that  
23 pays the Crown dues. If you ask the Ministry of  
24 Transportation, they will say that the contractors they  
25 hire to cut the wood, to cut the right-of-way are at

1        fault because it was their responsibility to salvage  
2        wood. If you ask anybody with common sense that lives  
3        and works here, they will say both government agencies  
4        are at fault.

5                    The Ministry of Natural Resources should  
6        have insisted on having input into the Ministry of  
7        Transportation planning process that would have ensured  
8        the road was built in a logical procedure, making sure  
9        that all merchantable wood was salvaged. The Ministry  
10       of Transporation should have had the sense to know very  
11       little of the merchantable wood was salvagable down the  
12       old access road. Most people building roads start at  
13       mile zero and then progress up until the work is done.  
14       In this case, somehow that was all done backwards.

15                   Now, I just want to give you a breakdown  
16       of probably what was lost there. In the prime jack  
17       pine stands, the average volume of wood I am told runs  
18       at between 35 and 40 cords per acre. In one kilometre  
19       of road, there are approximately nine acres or nine  
20       times 40 cords, 360 cords of wood. It is a safe  
21       estimation that a good one-third to one half of the  
22       right-of-way runs through prime jack pine stands. Now,  
23       that's a conservative estimate.

24                   If we estimated at one-third, the  
25       distance would be one-third times 135 kilometres, which



1 is 45 kilometres times 360 cords. 16,200 cords of wood  
2 went to waste. Now, that, I repeat, is a very  
3 conservative estimate.

4 Nobody will ever know the real figure  
5 because it has either been burnt or buried or cut up  
6 for firewood or still sitting beside the road wasting.

7 I have brought you some photographs. One  
8 photograph of the jack pine that still stands beside  
9 the side of the road, other jack pine that is rotting in  
10 the woods, and you can see for yourself. They are  
11 photographs that I took last month.

12 MADAM CHAIR: Will you be leaving these  
13 photographs with the Board, Mr. Hampton?

14 MR. HAMPTON: Yes.

15 MADAM CHAIR: Thank you. We will give  
16 these an exhibit number then. We will make that  
17 Exhibit 1170.

18 ---EXHIBIT NO. 1170: Photographs depicting jack pine  
19 standing beside the side of  
20 the road, other jack pine  
rotting in the woods, taken by  
Mr. Hampton.

21 MR. HAMPTON: The second example that I  
22 want to use is a recent one and it's one that, again,  
23 people aren't proud of. Recently the Ministry of  
24 Natural Resources has been building the Sedgwick Lake  
25 Road. This road is located right off the Bending Lake

1 Highway, about 45 miles of Atikokan. Bending Lake  
2 Highway is Highway 622, okay, so we are dealing with  
3 the same general area here.

4 This road was built in the Sapawe Crown  
5 Management Unit under the direction of the local  
6 Ministry of Natural Resources. Contracts are tendered  
7 out to supply equipment to build the road and is done  
8 under the supervision of the MNR staff. Ninety-nine  
9 per cent of time the lowest tender gets the bid and  
10 ninety-nine per cent of the time the Ministry of  
11 Natural Resources' staff have too many responsibilities  
12 to be everywhere at once and can't always be there to  
13 supervise.

14 In this case, the first tender released  
15 was right-of-way clearing done in the winter before  
16 road construction began. As usual, the contractor  
17 doing the clearing is owner of the wood, to dispose of  
18 as he pleases. Now, I brought some pictures of this as  
19 well. As the pictures quite clearly show, we know what  
20 happens to almost all of the wood on the first half of  
21 this road. It would be safe to say that hundreds, if  
22 not thousands, of cords of wood went to waste in this  
23 case.

24 Now, what is the problem here? There are  
25 no obligations written into the contract in road

1 clearing that specify the wood has to be salvaged and  
2 shipped to a mill for processing because the lowest  
3 tender is most likely to get the contract, the lowest  
4 tender may often be put in a position they have to cut  
5 corners. So that may be one of the corners that is  
6 cut.

7                   They cannot afford sometimes the  
8 equipment to remove the wood to the mills, but the  
9 taxpayer is getting the most for his dollar, or is he?  
10 In the world of competitive bidding, we would say:  
11 Well, we got the road built for cheap, the lowest  
12 bidder got the contract, but in the world of forest  
13 management, did we really come ahead if all that  
14 pulpwood is lying on the side of the road rotting?

15                  Now, the people who are most critical  
16 advise some solutions. The Ministry of Natural  
17 Resources draws up their own contracts. The obvious  
18 thing to do then is make wood salvage off the  
19 right-of-way a condition of the tender, proof of  
20 competence should also be a condition of tender and,  
21 finally, the Ministry of Natural Resources must have  
22 enough field staff to do the proper inspection and  
23 supervision work.

24                  Well, you might say: This is just one  
25 road, but if you fly from here to Thunder Bay and look

1 at all of the logging roads we have been building, you  
2 will see incidents where this may have repeated many  
3 times in the past. And really what's being suggested  
4 here is quite simple, proof of competency, that not  
5 only can you build the road, but you can and will  
6 salvage the wood and, finally, that the Ministry of  
7 Natural Resources has enough staff to be there to do  
8 the supervision when it's necessary.

9 Now, the third example, I'm going to show  
10 you some photos also taken on the Sedgwick Lake Road,  
11 they show burned slash piles. Now, the Crown Timber  
12 Act states that all merchantable wood four inches and  
13 larger shall be removed from the cut areas including  
14 slash piles at the side of the road.

15 Now, the piles I'm going to show you  
16 burned in the fall of 1989, were made up various sizes  
17 of wood. As the photos demonstrate, much of the wood  
18 left in the piles did not burn completely due to the  
19 fact of their large piles. It is quite common to see  
20 sticks of wood left in the piles eight feet and longer  
21 and up to ten inches in diameter. All of this is good  
22 pulpwood and can be salvaged. A pulp stick can be a  
23 minimum of four inches in diameter and as short as  
24 eight feet.

25 What is the problem here? In part, it is



1       that piecework and mechanization of cutting operations  
2       may be leading to some wasteful practices. The  
3       particular operation these piles were left from is a  
4       sawlog operation of full-tree logging. In these  
5       operation, the trees are cut my machine, skidded to the  
6       roadside by a machine, limbed and cut to tree length by  
7       a machine.

8               All of these operations were paid for on  
9       a piecework basis; in other words, for the logger who  
10      is there doing the cutting, the motivation for him is  
11      to get the wood cut and get it out of the bush as fast  
12      as you can and get as much out in whatever time you  
13      can.

14             If a limber/slasher operation has to slow  
15      down to take extra care to utilize the full length of  
16      the tree or simply to cut ends of trees into eight-foot  
17      pieces for pulp, he will not produce as many cords per  
18      day as he would have by just slashing the tree length  
19      and get getting it out. The result is poor  
20      utilization. There is not enough onus on a cutting  
21      contractor cutting sawlogs for a sawmill to try to  
22      obtain contracts with a pulp mill to take shorter  
23      eight-foot wood.

24             I'm not saying this happens in every case  
25      but, again, what I have seen and what I have been told,

1 both by some loggers and some people who work for the  
2 Ministry of Natural Resources, is that the requirements  
3 aren't tight enough. Some people who cut for sawmills  
4 are very good about making sure that the eight-foot at  
5 the end goes to the pulp mill, others aren't. Again,  
6 the Ministry of Natural Resources doesn't have enough  
7 staff to do the necessary supervision and to ensure  
8 that the proper thing is done.

9 But there is also a waste when the  
10 remnants of log piles where trees are not loaded. Let  
11 me give you -- explain what happens. You get a log  
12 pile, tree-length log pile on the side of the road, and  
13 you've got a loader. Now, the reason for the waste is  
14 loader operators are in a hurry to load full loads from  
15 full piles and then get the wood out of the bush. You  
16 get paid for what you produce, what you deliver to the  
17 mill.

18 Now, if you have to skirt up and down the  
19 logging road picking up a half pile here and a part of  
20 a pile there; in other words, clean up, that takes a  
21 lot of extra time and it costs you money if you are  
22 working on a piecework basis. So the economic  
23 temptation is, where you've got a part of a pile left,  
24 not enough to make a full load, leave it there. You  
25 make more money if you go after the full piles that

1 will make a full load. Now, some of the Ministry of  
2 Natural Resources' foresters who work on the ground  
3 level call this the piecework syndrome.

4 I should perhaps add, if you want to see  
5 another interesting side to this, two summers ago the  
6 Ministry of Labour had on inquiry investigating  
7 workers' compensation rates in the logging industry and  
8 they came here to Fort Frances. I went with a number  
9 of loggers, small loggers, the people who I call "who  
10 work at the bottom of the heap". They generally are at  
11 the bottom of the contract, subcontract, subcontract  
12 syndrome and they pull out the wood at the bottom  
13 level.

14 One of the things they pointed out was  
15 that when things really get tight in the bush, when you  
16 have got machinery -- you're working on the piecework  
17 system and you have machinery to pay for and you have  
18 to deliver the wood in order to get paid so you can pay  
19 for your machinery and you can eat, that you get into a  
20 situation where you indulge in unsafe logging practices  
21 sometimes because you can get out wood quicker that  
22 way.

23 To be specific, what was talked about was  
24 only cutting a tree halfway through and then using the  
25 skidder to push it over and the skidder can push them

1 over more quickly than you can sometimes cut them. The  
2 danger in that is, you may be in the way of the falling  
3 tree when it gets pushed over, but as two fellows  
4 pointed out, you get pushed into that because you have  
5 to make money.

6 I would argue that the same sort of  
7 situation sometimes applies when you're dealing with a  
8 half a wood pile. It's easier to leave it and cheaper  
9 to leave it than it is to take the extra time and the  
10 extra effort to remove it.

11 Now, I think the basic problem here is  
12 that there's not enough bite in the Crown Timber Act to  
13 require operators and in some cases MNR staff -- first  
14 of all, that require operators to do the job and in  
15 other cases, MNR staff simply isn't large enough or  
16 numerous enough to do the supervision that's necessary.  
17 But I think even if you dealt with those two things,  
18 you have got to look at the situation that we push  
19 loggers into in the piecework syndrome.

20 I think we put loggers in a position  
21 where sometimes they have to choose between doing the  
22 right thing in terms of using all the wood and doing  
23 the wise financial thing in terms of getting as much  
24 wood out as fast as you can. If you have to leave some  
25 behind, well, that's too bad, but it just doesn't pay.



1 I think in many cases loggers are being  
2 pushed into situations that they don't like, but they  
3 have to live, they have to eat and they have to pay for  
4 their equipment. I think you have to look at how the  
5 piecework situation works its way into all of this.

6 The rest of these photographs are all  
7 photographs of the Sedgwick Lake Road and I think you  
8 will find them quite interesting. It's primarily jack  
9 pine and spruce that's been left by the side of the  
10 road.

11 MADAM CHAIR: Thank you, Mr. Hampton.  
12 These are photographs of the Sedgwick --

13 MR. HAMPTON: Sedgwick Lake Road. They  
14 are all labeled on the back.

15 MADAM CHAIR: All right, thank you.  
16 That's Exhibit 1171.

17 ---EXHIBIT No. 1171: Photographs of the Sedgwick Lake  
18 Road.

19 MR. HAMPTON: The next issue I would like  
20 to deal with briefly is tree planting. As you know,  
21 almost all of the tree planting now is contracted out.  
22 I am going to deal with the Ministry of Natural  
23 Resources tree planting first.

24 Over the last five or six years, the  
25 provincial government has contracted out more and more

1 of the basic forest management work. Again, all in the  
2 name of saving the taxpayer money. Not only has it  
3 shifted the work of planting our forest to private  
4 operators, it is also, in many cases, shifted the  
5 professional responsibility that goes with it.

6 If you take a close look at a planting  
7 contract, you will find there is little or no teeth in  
8 the contracts to ensure that profession and competent  
9 people supervise the job. Now, that's critical and as  
10 I get a little further on I will explain why I think it  
11 is critical. The bottom line in contracting out tree  
12 planting work by the Ministry of Natural Resources is  
13 to save money, but the problem with tree planting is  
14 that you don't know the net result.

15 You need to devote extra effort. If you  
16 contract it out, you need to devote extra effort to  
17 measure quality control, to be sure that the trees that  
18 you have planted have in fact been planted properly and  
19 planted in such a way that there is a likelihood they  
20 are going to grow in the future. It is hard enough to  
21 duplicate what nature has provided us without putting  
22 this process, forest regeneration, in the hands of what  
23 is often an untrained labour force without sufficient  
24 quality control checks.

25 Now, if you take a close look at a lot of

1 the commercial silviculture industry, I think what you  
2 will find is that very few of the tree plant contract  
3 companies have professional forestry staff on their  
4 payroll. Now, as I understand it, the Ministry of  
5 Natural Resources has on hand in their district offices  
6 the resumes, the backgrounds and so on of many of the  
7 people who do their work in terms of planting.

8 I ask you to examine the references of a  
9 lot of the tree planting contractors in the province.  
10 As I said, the MNR has them on file. Now, how many of  
11 the contractors are foresters or forest technicians by  
12 trade, how many of the contractors hired by the -- how  
13 many of them are forestry students, how many trees went  
14 into the ground in this province last year or the year  
15 before planted by novice tree planters who are really  
16 trying to earn a few bucks for the summer so they can  
17 go back to school.

18 Now, to quote a local forest contractor,  
19 I shouldn't say he is local, he is in this region:

20 Tree planting has become a numbers game.  
21 It has become a game of how many can you  
22 say you planted, how many can you say  
23 that you put in the ground. Quality  
24 seems to have taken a back seat to  
25 numbers.

1                   He has given me some statistics and I  
2                   want to go through them. Most tree planters are paid  
3                   an average of about 8 cents per tree planted. In order  
4                   to make a reasonable wage, you have to plant at least  
5                   1,000 trees per day which would put you at \$80 per day.  
6                   After you take off your living expenses, because the  
7                   contractor who runs the tree planting operation in most  
8                   cases charges the students and people who work for him  
9                   a cost of living each day -- if you assume \$15 a day  
10                  cost of living charge, you are down to \$65 a day  
11                  earnings for the person that is plating the trees.

12                 Now, most planting contractors insist on  
13                 all least 1,000 per day per person so they can meet  
14                 their costs. Most tree planters put in a ten-hour day.  
15                 I should say it's not an enjoyable ten-hour day. I  
16                 have been out to watch some of the tree planting  
17                 operation, they are in very rough conditions and often  
18                 poor weather and it's not an easy operation to be  
19                 involved with for six weeks, eight weeks, ten weeks.

20                 But at ten hours a day and 1,000 trees  
21                 per day, this calculates to 100 trees per hour or 1.66  
22                 trees a minute put in the ground. It doesn't sound too  
23                 bad until you look at the conditions of the schedules  
24                 in the tender.

25                 What I did was I brought copies of a tree



1       planting schedule. This would be a schedule attached  
2       to a contract between the Ministry of Natural Resources  
3       and a tree planter and I think I should give you these  
4       now so you can have a look at them because I think they  
5       are very important. (handed)

6                   MADAM CHAIR: Thank you, Mr. Hampton.

7                   MR. HAMPTON: You will notice I rubbed  
8       out all the names to protect the innocent here.

9                   MADAM CHAIR: This will be Exhibit 1172  
10       and it is a schedule B to the agreement between MNR and  
11       a tree planting contractor and I believe it is attached  
12       to the tender.

13                  MR. HAMPTON: That's right. It was  
14       attached to the original tender.

15       ---EXHIBIT NO. 1172: Schedule B to an agreement  
16                               between MNR and a tree planting  
                             contractor.

17                  MR. HAMPTON: Now, this schedule that I  
18       have given you lists the planting specifications. It  
19       talks about deviation from spacing, it talks about --  
20       let me run through part of them. For example item 3:

21                   "Nursery stock is not to be planted on  
22                   the following sites:

23                   (1) in rotten logs or stumps;

24                   (2) at the bottom of depressions that are  
25                   subject to flooding;

1 (3) in cut banks, roadside fills,  
2 landings, skidways, raised humps of  
3 loose soil, borrow pits or debris, unless  
4 otherwise specified by the Crown's  
5 representative..."

6 Item 4, Planting:

7 "(1) The site in which a tree is to be  
8 planted shall be cleared of duff, debris  
9 rotten wood, loose rock and other  
10 vegetation, if not cleared. The  
11 cleared stie shall not be less than 30  
12 cm x 30 cm.

13 (2) Each planting hole shall be prepared  
14 in the approximate centre of the cleared  
15 site...

16 (3) Each planting hole shall be of a size  
17 that will accomodate the entire root  
18 system of the tree in a natural spread  
19 out position and not in a tangled,  
20 bunched or doubled up position.

21 (3) Each tree shall be planted to a depth  
22 so that, after filling in and compacting  
23 soil about the roots, the soil comes to a  
24 point at or near the root collar on the  
25 tree stem where roots are not exposed and

1 no branches and trees leaves are covered  
2 with soil. In the case of container  
3 stock, each container shall be planted so  
4 as not to leave any of the paper pot  
5 (and/or plug) showing above the ground.

6 (5) Soils shall be filled in and  
7 compacted around the roots to remove air  
8 pockets and firmly anchor the tree.

9 (6) The stem of each planted shall be  
10 vertical relative to the ground. Each  
11 planted tree whose stem leans more than  
12 30 degrees from vertical for conifers and  
13 15 degrees from vertical for hardwoods  
14 shall be considered to be improperly  
15 planted.

16 (7) Each planted tree must be capable of  
17 withstanding a reasonable tug by hand  
18 without being extracted from the soil..."

19 and so on.

20 Now, I want to go back to this timing.  
21 To make money, a tree planter has to be able to plant  
22 1.66 trees a minute. Now, if you -- and I would invite  
23 you to go out now and watch some of the planting  
24 operations. I went out last week and I am going to go  
25 out to a couple later on this week.

1                   MADAM CHAIR: We have seen planting  
2 operations. We've seen them in the Temagami area and  
3 we've seen them in...

4                   MR. CASSIDY: Kapuskasing.

5                   MADAM CHAIR: Kapuskasing

6                   MR. HAMPTON: I have a couple in mind I  
7 would like to show you and I will perhaps mention those  
8 later.

9                   My basic premise and, I repeat, this is  
10 the basic premise of people who watch these trees being  
11 planted, is that if you enforce each letter of the tree  
12 planting contract, it will be very difficult for a lot  
13 of people to be planting trees today. Just by the  
14 sheer numbers that go in the ground in one day, the  
15 contract is almost impossible to enforce. The  
16 foresters who work for the Ministry of Natural  
17 Resources know this, the technicians who monitor the  
18 plants know this and I think the public should know it.

19                   I want to go through these figures again.  
20 Based on a ten-hour day, if you assume that the number  
21 of trees planted per day is 1,500, that means you've  
22 got 24 seconds per tree, you have got to put a tree in  
23 the ground every 24 seconds for ten hours in order to  
24 get 1,500 in the ground, that's one worker.

25                   2000 trees per day, you have got to put a



1 tree in the ground every 18 seconds; 2500 trees in a  
2 day, you have to put a tree in the ground every 14  
3 second, every 14 seconds for ten yours; and to put  
4 3,000 trees in the ground in a day youe have to put  
5 12 -- every 12 seconds you have to put a tree in the  
6 ground for ten hours.

7 Now, the trees -- the figures I have  
8 given you, 1,000, 1,500, 2500, are realistic. Most  
9 trees planters slap - and I put the emphasis on slap -  
10 between 1,500 to 2,500 trees per day in the ground.

11 In order to let the gravity of these  
12 figures sink in, I suggest you read the tree planting  
13 schedules again and think of yourself as a tree planter  
14 out in cut-over fighting black flies, mosquitos,  
15 climbing over fallen trees, working in weather extremes  
16 from snow and rain to 30 degree Celsius above. The ten  
17 hours usually amounts to 12 to 16 hours a day by the  
18 time of the travel and breaks and waiting for tree  
19 delivery are taking into consideration.

20 So you're talking about people working a  
21 12, 13, 14 hour day here, but they have got to be  
22 putting in, at 2,500 hundred trees per day, 14 trees a  
23 second. That's a pretty super-humane task and, again,  
24 what I have been shown and what I have been told by a  
25 lot of MNR technicians is that to do it as the schedule

1        says it must be done is quite difficult, and to do that  
2        many as the schedule says it must be done is quite  
3        difficult.

4                    Now, at one time the Ministry of Natural  
5        Resources used to think that 600 to 1,000 trees per day  
6        was a good quality number, but in many of the private  
7        tree plants that's not being exceeded and, again, the  
8        question that many forest technicians ask is: What are  
9        we getting for quality, what are we getting for  
10        survivability when you are putting that many trees in  
11        the ground that quickly under often very difficult  
12        conditions.

13                   Just in contrast, I understand that in  
14        Finland and Sweden the figure that they still look at  
15        as being a good plant in a day is 600 trees a day.

16                   I think what comes out of this is  
17        basically that tree planting has become a numbers game.  
18        What we often get and what I get when I request  
19        information is: Well, so many trees were planted. But  
20        what's the quality, what's the quality control, what's  
21        the survivability and that's the part that is most  
22        difficult.

23                   What is the survival rate, the success  
24        rate of seedlings when they are stuck in the ground at  
25        the rate of a tree every 12 seconds or every 18

1 seconds. I'm told again by people who work in the tree  
2 planting area of forest management and who watch this  
3 process with dismay that in too many cases the success  
4 rate is not acceptable, but in most cases we just don't  
5 know because there isn't enough follow-up.

6 Now, I understand that there have also  
7 been some problems this spring. Most of the seedlings  
8 that we get here come from Thunder Bay or elsewhere in  
9 this northwestern Ontario region and I understand that  
10 many of the seedlings we are getting are not of  
11 adequate quality and that further complicates the tree  
12 planting operation because you have to, theoretically  
13 at least, sort out the bad seedlings from the good ones  
14 and only plant the good ones.

15 That's why I suggest you have a look at  
16 some of the plants that are going on right now because  
17 I understand a lot of seedlings, in fact, had to be  
18 thrown out.

19 I want to just refer briefly to the FMAs.  
20 What I am quoting from here is a professional forester  
21 who has worked in FMAs across most of the area west of  
22 Thunder Bay. He has worked both for the Ministry of  
23 Natural Resources and on FMAs, so I think he has a fair  
24 basis for comparison.

25 "I think you are aware, under a

1 particular forest management agreement a  
2 company receives compensation for the  
3 following items from the Ministry of  
4 Natural Resources: bareroot tree  
5 planting, container stock tree planting,  
6 aerial seeding, seeding with site  
7 preparation, mechanical site preparation  
8 excluding blading, mechanical blading  
9 site preparation, chemical site  
10 preparation plus cost of chemicals, road  
11 maintenance and road construction."

12 Now, what's happened is, over the years  
13 many of the pulp and paper companies have contracted  
14 out their tree planting programs, but the problem from  
15 some of those contractors who bid on those contracts is  
16 that the price that some of the companies are  
17 contracting out, tree planting, is in fact below the  
18 compensation that they receive from the Ministry of  
19 Natural Resources.

20 Now, their concern is that tree planting  
21 is in fact being nickeled and dimed to death. Pulp and  
22 paper companies are looking more to who can do the job  
23 cheaply and, as he puts it, contractors are obliged to  
24 comply or try to comply with all federal and provincial  
25 action and regulations that apply low contract prices,



1 result in employees being underpaid, to compensate in  
2 part for these required services. The contractor's  
3 profit margin is reduced and, in some cases, improper  
4 accommodation and services are provided.

5 Generally tree planting personnel are  
6 required to live in tents for up to two months and work  
7 long hours for marginal pay. In addition, it is  
8 becoming increasingly difficult to be located near  
9 potable water, a necessity of life and a real  
10 difficulty.

11 Now, his point in mentioning these things  
12 is that as the price squeeze continues, as he has to  
13 lower the price he pays to his planters, they have to  
14 plant more trees to make a living. And his concern is  
15 that, quite frankly, not everything is going in the  
16 ground as it should.

17 The forest industry receives compensation  
18 for road construction and maintenance for roads under  
19 its forest management agreement. Many of the roads  
20 that are used are essentially winter roads and the  
21 all-season roads that are used are too often not  
22 properly maintained. In one particular instance a main  
23 all-weather access road was in such a state of  
24 non-maintenance that it was only after it posed danger  
25 to passengers travelling on a bus that it was graded.

1           Every year severe damage is incurred to  
2 transport vehicles due to poor maintenance of roads.  
3 New roads are not usable for transportation of tree  
4 seedlings, fire equipment and people. And he points  
5 out that one of his greatest worries is that winter  
6 cuts; in other words, an area that is cut during the  
7 winter and is accessible only by winter roads, is  
8 oftentimes not accessible in the spring when you have  
9 to plant it.

10           And that his greatest concern in terms of  
11 proper reforestation is in winter cuts, that too many  
12 of the winter cuts he doesn't feel receive the  
13 attention they deserve. In many cases you simply can't  
14 get to them to plant and you hope that whatever  
15 scarification has been done, if some has been done, is  
16 enough to spread the existing cones and seeds around so  
17 you get some regeneration.

18           He has a concern with site preparation,  
19 the act of preparing an area for tree planting is often  
20 not adequate from his perspective. Again he says,  
21 companies receive compensation for this function and  
22 some do not monitor the effectiveness of the job.  
23 Generally the rate for site preparation is piece rate  
24 and a lot of operators have to go quickly over the  
25 areas in order to keep their operating costs within the

1 budgeted low tender price. The net result can be a  
2 disorganized site preparation that hinders tree  
3 planting, layout and control and, in some cases,  
4 provides a dangerous working area for tree planters.

5 Again, the Ministry of Natural Resources  
6 does not monitor or evaluate the effectiveness of site  
7 preparation programs on FMAs but it pays for the job.

8 Now, his concern again is that one of the  
9 liabilities of a piecework type of operation is that  
10 where the price for, in this case site preparation, is  
11 so low that whoever is doing the scarifying or the  
12 other aspects of site preparation has to do it quickly  
13 in order to make money, that the job simply isn't being  
14 done well enough. And then you have an extra problem  
15 if you are a planter, because trying to put those trees  
16 in the ground every 12 seconds or every 18 seconds  
17 becomes that much more difficult, trying to do them in  
18 a quality way becomes especially difficult.

19 Last year there was a lot of concern over  
20 stock availability by almost everybody involved in the  
21 tree plant program. Last year the Ministry of Natural  
22 Resources reduced the number of trees being planted  
23 within the province due to financial constraints. That  
24 affected forest industry because if the money is not  
25 available to do the planting, then forest industry

1 companies do not receive compensation for tree planting  
2 and, as such, they reduce their tree planting programs.

3 Now, his complaint again is that, if you  
4 follow this all through, trees in fact last year were  
5 destroyed in tree nurseries instead of being planted.  
6 And when they couldn't be planted, aerial seeding was  
7 the method most often used to seed those areas that  
8 couldn't be planted.

9 Now, I think most foresters that I have  
10 talked to don't have a particular problem with aerial  
11 seeding, they feel that aerial seeding is done, if it's  
12 done in conjunction with the tree planting program  
13 often works well. They feel that the method is not as  
14 reliable as tree planting, but it is very reliable in  
15 specific cases. But the problem is when the Ministry  
16 funds are not available for tree planting, then forest  
17 companies on their FMAs elect to do regeneration  
18 through aerial seeding in order to have the area  
19 classified as regenerated during the year.

20 And again, you from, from a private  
21 contractor who is a forester, you have got areas that  
22 are being aerial seeded not because that's the best way  
23 to ensure regeneration but because the trees, last year  
24 at least, just weren't available to plant.

25 I brought a lot more material with me



1       than this, but one of the things -- I think I will just  
2       leave that now and sort of try to conclude.

3                       One of the things that has really hit me  
4       over and over again over the last three years is that  
5       there seems to be wide disagreement between what the  
6       higher officials of the Ministry of Natural Resources  
7       say about things like tree -- well, first of all, about  
8       things like wood utilization and about tree planting,  
9       there seems to be a wide discrepancy between what the  
10      higher officials in the Ministry of Natural Resources  
11      say and what many of the forest technicians on the  
12      ground level are saying.

13                      Everything that I have put before you  
14      today came to me from people who are working at the  
15      ground floor. Some of the people who took me to plants  
16      and took me to Sedgewick Lake Road, for example, are  
17      people who used to work for Ministry of Natural  
18      Resources.

19                      The gentleman I just referred to who is  
20      very concerned about what is happening on some of the  
21      FMAs because of the piecework cutting syndrome and the  
22      compromises you are driven into because the price is  
23      too low, is someone who is a professional forester who  
24      has worked across northwestern Ontario.

25                      Now, the only thing that I -- the only

1 conclusion I guess I draw from this is that somewhere  
2 what is officially being said by the government about  
3 things like wood utilization and tree planting, things  
4 that are being officially said have to be squared with  
5 what is often being said at the ground floor. And I  
6 would suggest to you that the only way that you can  
7 perhaps do that is to spend a lot of time talking to  
8 some of those people who work at the ground floor.

9 My intention next week is to go out and  
10 look at a couple of more tree plants. As I have said,  
11 the indications I have received is that there are some  
12 problems with some of the tree plants in the northwest  
13 region and the northcentral region for a number of  
14 reasons: One, because the roads out to the planting  
15 sites are not adequate and so of the tree planters are  
16 having a real difficulty getting out to them; the  
17 second is that some of the -- a lot of tree seedlings  
18 that are arriving are not up to scratch, and so there's  
19 a problem with supply; and third is that some of the  
20 people who have bid on tree planting contracts don't  
21 have the equipment or personnel to do the job.

22 So if you have time next week or so, I  
23 invite you to take a trip with me. But it's my  
24 understanding the black flies and mosquitoes aren't  
25 that bad yet.

1                   Those are all of-my submissions.

2                   MADAM CHAIR: Thank you very much, Mr.

3 Hampton.

4                   MR. MARTEL: We heard that - this is what  
5 Dr. Baskerville told us - in Europe of course they have  
6 one forester for every 10,000 I believe it's hectares,  
7 we have here in Canada -- or Ontario, I think it's one  
8 forester for about one million. I think my figures are  
9 correct.

10                   With those sorts of figures - I am sure  
11 the technical staff is probably comparable - how can we  
12 get a handle or what can we put in place to monitor  
13 precisely what is going on?

14                   I think that it's an area of concern -  
15 and I don't use that as the area of concern process  
16 either - but that, who's monitoring out there precisely  
17 what is going on and, thus, being recorded and how  
18 would you rectify that process, or what would you put  
19 in place?

20                   MR. HAMPTON: I had the advantage of  
21 reading Dr. Baskerville's submissions to you. I have a  
22 couple of dedicated staff, one of these is a volunteer  
23 from the U of T School of Forestry who spent a lot of  
24 time reading the transcripts. One of the things  
25 that -- well, first of all, let me give you this sort

1 of anecdotally.

2           The numbers of times I have received a  
3 phone call from somebody who works at the ground level  
4 of the MNR at ten o'clock at night who has just come in  
5 from a plant and he says: You have no idea what's  
6 going on out there, and the road wasn't good enough for  
7 us to get our stock in, we're going to be delayed,  
8 we've had to throw away a lot of trees, a lot of the  
9 people who are planting aren't experienced enough and  
10 don't know what they're doing. And yet what I hear  
11 from people is: But we have to let this go through  
12 because we have got no alternatives.

13           I think the answer has to be, you have to  
14 have more people on the ground level. The Ministry of  
15 Natural Resources needs more people, more forest  
16 technicians, more foresters at the ground level because  
17 the people who are doing the planting -- and that's not  
18 their interest; I mean, their interest is to get as  
19 many trees into the ground as they possibly can in as  
20 short a time as they can, make their money as quickly  
21 as they can and leave.

22           I know that many Ministry of Natural  
23 Resources technicians are put in a position now where  
24 they have to let shoddy work go by because if you've  
25 got somebody out there doing poor work what are your



1 options? Well, you can say to them: You're done, we  
2 can't let you finish this contract, we have to get  
3 somebody else. But the tree planting season is so  
4 short, where do you get somebody else on short notice?  
5 Where do you get them to take over when the first  
6 contractor has done a bad job?

7 Now, I have had MNR technicians say to me  
8 what we need is we need enough people on the ground so  
9 if we have to come in behind somebody and clean up  
10 their mess we have got the people to do it.

11 Right now I don't believe that the  
12 Ministry of Natural Resources has the people to do it.  
13 So the short and the long answer is, you have to have  
14 more people on the ground.

15 MR. MARTEL: That would include though;  
16 would it not, more than just at the bottom end when  
17 you're talking about observing how planting is carried  
18 on. I mean, is it your opinion that you would need  
19 more staff also, for example, when you're looking at  
20 stocking and whatnot to find out what the results every  
21 after five years might be, because the same -- if you  
22 look at the stats again, if it's one forester for a  
23 million acres or hectares, how in God's name could they  
24 ever get around to seeing half of it in a lifetime?

25 MR. HAMPTON: I couldn't agree more.

1 Again, what I am told repeatedly by people who work on  
2 the ground level for the Ministry of Natural Resources  
3 as forest techs is that they simply don't have the time  
4 in many cases to go back three years later, four years  
5 later and look at the survivability, look at what the  
6 success rate of a plant has been or what the success  
7 rate of an aerial seeding has been.

8 As I think I indicated earlier on, if you  
9 are going to contract out all of the planting, if  
10 you're going to contract it all out, there are two  
11 areas you have to really put a lot of resources into:  
12 One is supervision at the time that the planting takes  
13 place; and the second is quality control down the line,  
14 looking at what the results are. And again, most  
15 Ministry technicians that I have talked to simply feel  
16 that they don't have enough people, the Ministry  
17 doesn't have enough people to do those two jobs.

18 So I would agree with you, it's not  
19 simply having enough to look at the trees while they  
20 are going in the ground, it's also enough people of  
21 professional capacity to accurately look at the success  
22 rate of what has been done and neither of them exist  
23 right now, I don't think.

24 MADAM CHAIR: With respect to looking at  
25 the success rate of regeneration, obviously this is a

1 very -- this is at the centre of what we are looking at  
2 in terms of the evidence we are receiving, how can you  
3 tell if a forest is being regenerated successfully, and  
4 you have given us your thoughts this morning on the  
5 first stage, and that is the survival of tree planting.

6 We have heard evidence from the Industry  
7 to the effect that certainly they are very cognizant of  
8 the need to have good quality planting, and I think we  
9 received some evidence from some of the companies to  
10 the effect that they did a lot of that monitoring  
11 themselves. I don't know what the situation is in  
12 every part of the province.

13 MR. HAMPTON: Sure.

14 MADAM CHAIR: But what the Industry has  
15 said to us - and I would like your comments on this -  
16 is really what we want you to do is judge us on the  
17 success of regenerating, don't judge us on how many  
18 seedlings survive because we can give you figures to  
19 show that regardless of what the first or second or  
20 third year survival rate is, by five years when we look  
21 at our free to grow survey we can show you that we have  
22 a successfully stocked forest.

23 Don't set aside the fact that you have to  
24 plant well, you have to seed well, you have to do other  
25 site preparation and so forth, but what I think

1       certainly the Industry is trying to convince the Board  
2       of is that you have to take a slightly longer view of  
3       regeneration, not missing any of the steps you have  
4       been talking to us about this morning.

5                       And if I were in the Ministry of Natural  
6       Resources I guess I would be saying to myself: I have  
7       so many dollars to spend on monitoring, let's say - and  
8       I think you have made a very good point, someone has to  
9       be watching the stuff very carefully - and where do I  
10      spend those resources? Do I follow tree planters  
11      around, or do I wait and determine at the most  
12      efficient time in the process of regenerating whether  
13      it's working or not?

14                     MR. HAMPTON: Again, let me answer your  
15      question in a short way, first. I think you have to --  
16      I think if the situation is critical enough in some  
17      areas you have to do both. If I -- the comment I heard  
18      here over and over again from people who work on the  
19      ground level of all this is that we are being nickeled  
20      and dimed to death, and that to do the job right will  
21      cost us some money.

22                     Now, the question you have asked opens up  
23      a wider question; maybe we should be getting away from  
24      a lot of planting, maybe there is a far better way to  
25      look at this. There is no doubt that in some areas -



1 and I will just give you an example of the scenario  
2 that I think is an unwise one - you get pure stands of  
3 mature jack pine are full-tree logged, okay, on an  
4 extremely shallow rocky site, and the cone-bearing  
5 slash is pulled off the site and piled at the side of  
6 the road. Ministry of Natural Resources pays  
7 contractors to come and pick the pine cones from these  
8 piles, the Ministry pays to ship these cones to Angus,  
9 Ontario, the Ministry pays for the seed extraction and  
10 the shipment of the seeds back to northwestern Ontario,  
11 and the Ministry pays another contractor to aerial seed  
12 the same site that the seed was taken from in the first  
13 place, or the Ministry will pay somebody to grow  
14 seedlings from those seeds and then eventually plant  
15 them.

16 Now, you are asking me, you know, are  
17 there short circuits through this. I entirely agree  
18 with many people, that if you left more of the seed on  
19 the site and did a better job probably of site  
20 preparation you might be able to eliminate some costs,  
21 okay.

22 I mean, there are various models of how  
23 do you make this cost effective, but the model we are  
24 dealing with right now is one of planting and planting  
25 by private contractors, and it seems to me the Ministry

1 and companies under forest management agreements are  
2 spending a lot of money on that, and that has to be --  
3 you're spending taxpayers' money. One of the questions  
4 has to be: Are we getting quality for the money we are  
5 spending? And there is a lot of money going through  
6 the funnel there.

7 Now, it just seems that one of the things  
8 you want to be sure of is you are getting money for  
9 value in terms of tree planting, okay. And I think one  
10 of the ways you have got to find that out is by doing  
11 proper inspections at the proper time, and if all you  
12 are worried about is, you know, what does the forest  
13 look like five years down the road or eight years down  
14 the road, that is a much larger question and it may  
15 involve looking at this other model I have just cited,  
16 I mean, rather than taking the trees, taking the cones,  
17 taking the seed, shipping them down east, shipping them  
18 to a seedling operator and then bringing them back and  
19 then planting them, okay, we may be talking about more  
20 natural regeneration, but it just seems to me that  
21 there is a couple of different questions.

22 MADAM CHAIR: Yes, there are, but Mr.  
23 Martel's my jack pine expert on the panel. We have  
24 heard a lot about jack pine and the evidence we have  
25 received is that of any of the species that require

1     planting as opposed to seeding, jack pine is the  
2     species that should be planted, that it doesn't  
3     regenerate very well from seed or by natural  
4     regeneration, but certainly with many other species we  
5     have also received evidence that there are lesser cost  
6     attempts being made now to look at lower cost ways of  
7     regenerating. And I think it would be very difficult  
8     for anyone to disagree that if you could do a good job  
9     at a lower cost, that would be something you would want  
10    to promote.

11                 I want to ask you another question, Mr.  
12    Hampton, and that has to do with your sense politically  
13    of the extent to which reforestation in northern  
14    Ontario is a priority of government spending?

15                 MR. HAMPTON: I don't think my political  
16    sense -- having looked at some of the numbers, my  
17    political sense is that it is not as much a priority as  
18    it was a few years ago, that except given the vagaries  
19    of when an election is called and what the numbers may  
20    look at six months before an election is called or what  
21    they may look like eight months before an election is  
22    called, that the interest is not as great now on the  
23    part of the government as it was, say, four or five  
24    years ago, and I receive that from various sources.

25                 I mean, the number of tree seedling

1 operators who have phoned and said: We are not  
2 planting as many seedlings but yet we don't think that  
3 the job is being done adequately otherwise. The number  
4 of times when I have seen people who are working at  
5 Ministry of Natural Resources in the summer who have  
6 been laid off because money has run out, and that was  
7 in fact an election issue here three years ago, in the  
8 middle of a summer election campaign a number of people  
9 who were working for the Ministry of Natural Resources  
10 on forest regeneration projects were laid off simply  
11 because the local MNR office ran out of money.

12 So I don't think that it is the priority  
13 that it was four or five years ago.

14 I think -- leaving behind the numbers and  
15 so on for a minute, I think the provincial government  
16 has devoted a lot of time and effort persuading people  
17 that things are okay in the forest. You know, in  
18 politics there's two ways of approaching the problem:  
19 You can deal with the problem or you can deal with the  
20 public relations of the problem, and I think the  
21 government has chosen to deal in the last few years  
22 with the public relations of the problem, and that  
23 means convincing people that everything is okay.

24 Dealing with the public relations of the  
25 problem has meant that I think there is less -- the



1       problem itself is a less of priority and less money is  
2       being spent on it, less attention is being paid to it.

3               Just generally I think the Ministry of  
4       Natural Resources is being starved for money. It's not  
5       just the timber management people, it's fish and  
6       wildlife people as well and other sections of the  
7       Ministry of Natural Resources. There just isn't the  
8       money there that there used to be and there isn't the  
9       priority there for a lot of the things that the  
10      Ministry of Natural Resources has traditionally been  
11      charged with doing.

12             MR. MARTEL: Last night we had the same  
13      request, that we should talk to people in-camera, which  
14      I find offensive and never allowed it where I was  
15      before.

16             How do we get to talk to technicians and  
17      foresters in an open and frank way without inhibiting  
18      them because of the openness that is required to get  
19      the problems they perceive to exist. I mean, we've not  
20      got any information to that in the manner you have laid  
21      out for us today. I have heard the same stories you  
22      have heard for years, and yet how does that information  
23      come forward so that you can at least look at it and  
24      and assess it and make some recommendation to rectify  
25      it, if that is what is required, because people don't

1       come forward, and I guess by law they would, in all  
2       probability, be prevented from coming forward and  
3       making that sort of stance on their own.

4               MR. HAMPTON: I think that -- let me talk  
5       in very general terms here. I think one of the  
6       greatest things you could do for forest management in  
7       this province and for the environment generally would  
8       be to recommend very strongly the immediate legislation  
9       of the whistle-blower clauses that would affect not  
10      only private industry but the Crown.

11              If people could come forward, people who  
12      work at the lower level, whether they be people who  
13      work in a papermill or who work in a chemical plant or  
14      who work in the field for the Ministry of Natural  
15      Resources, if they knew that they weren't risking their  
16      job and their livelihood and the livelihood of their  
17      family when they came forward and said: Look, I have  
18      something I want to show you here, you know, 30,000  
19      tree seedlings have been buried or 10,000 cords of wood  
20      was burned up on the side of the road, if you could --  
21      if you could recommend that highly in your report, I  
22      think you would be doing a great service not only for  
23      forest management but for the environment in general.

24              The other types of calls that I get are  
25      from people who work in papermills who will phone my

1 office and say: Did you know there was a huge chemical  
2 spill in the kraft mill today and I phoned the Ministry  
3 of Natural Resources office in Kenora and they don't  
4 have enough staff all the time to send someone down to  
5 the mill here in Fort Frances, and they say: Yeah,  
6 there was a hundred gallons spilled. And I write them  
7 letter and I say: Well, I have four witnesses who say  
8 that the spill went on for five hours and it was more  
9 like a hundred thousand, and three days later a letter  
10 will come back from the Ministry of Environment saying:  
11 We checked out what you said and we agree, it was a  
12 hundred thousand gallon spill but it was all contained,  
13 don't worry.

14 And the reason that those employees will  
15 phone me confidentially is because they are afraid to  
16 phone the Ministry of Environment and identify  
17 themselves, because currently their jobs are not  
18 necessarily protected. If you have a very good union  
19 that is prepared to spend a lot of money to fight for  
20 you, you can perhaps maintain -- perhaps maintain your  
21 job, but a lot of employees aren't in that situation,  
22 many of the people who work for the Ministry of Natural  
23 Resources are contract employees on renewable  
24 contracts. Your contract just isn't renewed.

25 MADAM CHAIR: Is there anyone who would

1       like to ask Mr. Hampton any questions about his  
2       presentation?

3                       Yes, sir?

4                       MR. SEPPALA: Bruno Seppala, Madam Chair.

5                       Howard, about your submission, you  
6       mentioned the -- is this thing on?

7                       MADAM CHAIR: It doesn't sound like it,  
8       Mr. Seppala. You have got it.

9                       MR. SEPPALA: Throughout your submission  
10      you mentioned the shortage of staff. One of the points  
11      I made in my submission yesterday was - and I would  
12      like to have your comment on - we have a tendency to  
13      bury these people in paper, they get involved in so  
14      much paperwork they can't get out of it.

15                      So do you think that is a factor and that  
16      should be corrected as well? I don't know if that will  
17      straighten out the situation with respect to field  
18      inspection.

19                      I know we used to do it, I mentioned it  
20      before, we had regular cut inspections following the  
21      Kennedy Commission and the waste was certainly reduced  
22      right up until 1984. Now, you related the Sedgewick  
23      Road and along the Bending Lake Road and latter,  
24      particularly where it was kind of done bass ackwards,  
25      to use a back term, but what do you think about that.



1           I have worked for government, you know,  
2           and you have got to account for every time you  
3           practically go to the bathroom and, you know, you can't  
4           get at what is going on in the bush, so what do you do  
5           about that?

6           I would like to hear your comment about  
7           that, and we make the government behave that way. Now  
8           what do you -- how do you fix it?

9           MR. HAMPTON: Bruno, the best  
10          recommendations I have seen on how do you fix it, and  
11          it is a recommendation that I think a lot of people who  
12          work in the ground -- at the ground level for the  
13          Ministry of Natural Resources agree with, is basically  
14          the formula that Professor Baskerville laid out in his  
15          1986 report.

16          Baskerville basically said that the way  
17          the Ministry of Natural Resources looks at managing the  
18          forest has to change. They have to be more concerned,  
19          again, with are targets being met, are things being  
20          done according to the schedules rather than simply:  
21          How much got done or how much time was spent on "x" or  
22          how much time was spent on "y".

23          And when I take that to ground level MNR  
24          technicians, many of them say: Well, It hasn't changed  
25          much. The best way to get a promotion within the

1 Ministry is to do the paperwork, the best way to get a  
2 promotion within the Ministry is not to be too  
3 concerned with what happens at the basic level, it's to  
4 be very good at pushing paper.

5 Maybe that's an endemic problem of  
6 bureaucracy. I found the same thing when I was a  
7 teacher, by the way, that sometimes it wasn't so much  
8 the teaching you did that was important, it was how  
9 well you pushed your paper. As a result, I got out of  
10 teaching.

11 I don't have the answer, but I think  
12 Baskerville provides the best answer. We really have  
13 to apply ourselves to changing the whole management  
14 approach when it comes to the forest. And I agree with  
15 what he says, putting more people in at the ground  
16 level, more foresters, smaller Crown management units,  
17 smaller units of responsibility is probably the best  
18 way to do it. That's my view.

19 MR. SEPPALA: Thank you much.

20 MADAM CHAIR: Thank you very much, Mr.  
21 Seppala.

22 We will take a short break now. The  
23 court reporters have been working very hard for a few  
24 hours. We will take a 15-minute break and return.

25 And, Mr. Hampton, I think -- will there

1 be more questions for Mr. Hampton when we come back?

2 (indication from the audience)

3 MADAM CHAIR: Yes, I see some in the  
4 audience.

5 Mr. Seppala, before I forget, Mr. Martel  
6 and I had a question to you and Mr. start about  
7 something you said yesterday, so we might ask you at  
8 the end of the session this morning.

9 Thank you very much.

10 ---Recess taken at 10:35 a.m.

11 ---On resuming at 10:55 a.m.

12 MADAM CHAIR: Please be seated.

13 Are there any questions for Mr. Hampton?

14 Yes, sir.

15 MR. BROWN: Yes, I would like to talk to  
16 Mr. Hampton.

17 On the Bending Lake Highway job there, do  
18 you know actually how many cords of wood was left out  
19 of that 16,000 you talked about?

20 MR. HAMPTON: The estimate of 16,000,  
21 Fred, was a fairly conservative estimate. My  
22 understanding is that none of it made either to the  
23 Sapawe mill or to the Fort Frances mill, that it was  
24 left lying on the side of the road, even now, there are  
25 probably still in total a couple of thousand cords.

1                   MR. BROWN: A couple of thousand cords.  
2     Well, I lived and worked in that area at the time the  
3     Bending Lake Road was cut and I do agree with you that  
4     the raod was built totally backwards, but to my  
5     knowledge most of that wood was hauled to Sapawe  
6     because I know the contractors who cut the  
7     right-of-way.

8                   MR. HAMPTON: I know, Fred, that some of  
9     the wood at the lower end was hauled to Sapawe. I  
10    think that's accepted.

11                  The greatest loss of wood occurred at  
12    the --as I understand it, about 40 mills up and further  
13    up than that and that most of that that wood wasn't  
14    salvageable.

15                  MR. BROWN: Forty miles up, that was a  
16    cut-over. I don't know the exact percentage of the  
17    Bending Lake Highway, but I would say probably half of  
18    the Bending Lake Highway was built through a Great  
19    Lakes cut-over.

20                  MR. HAMPTON: Some of it was built  
21    through cut-over, that's correct. My understanding is,  
22    is that the majority of those was built through  
23    standing jack pine and most of that wood at that time  
24    was not able to -- was not able to be taken to the  
25    mill.



1                   MR. BROWN: You talk about 30 to 40 cords  
2 per acre on that road.

3                   MR. HAMPTON: Yes.

4                   MR. BROWN: There is some stands of wood  
5 along that road that may equal that, but the majority  
6 of the wood stand on that road are a long ways from 30  
7 to 40 cords per acre because the north end of that  
8 road - I have driven it many times - it's just rocky  
9 and very poor timber.

10                  Upwards to Atikokan towards the Turtle  
11 River, where you're talking about, there is good  
12 standing wood there and that's probably where you got  
13 that picture. It isn't hard to take three pictures,  
14 but you can't justify what you said because you don't  
15 know, you have no proof that the wood was left there.

16                  MR. HAMPTON: I guess the only way we get  
17 the proof for sure, Fred, and it is not really my  
18 conclusion, and I invite the Board to go up and down  
19 the road.

20                  MR. BROWN: Well, I've advised you to  
21 come to the bush to see wood utilization and you've not  
22 taken me up on that.

23                  You are talking about a very small  
24 percentage of the area when you talk about Bending Lake  
25 Highway and the Sedgwick Lake Road because -- I've

1        never been on the Sedgwick Lake Road, so I can't speak  
2        about that, but I've been on the Bending Lake Highway  
3        and I know the people that cut that wood and it was  
4        part of their contract to get that wood to the Sapawe  
5        mill.

6                    MR. HAMPTON: Fred, I am also aware that  
7        that was part of the contract, to try to get the  
8        Sapawe -- to try to get the wood to the Sapawe mill,  
9        but I'm also aware that two trucks were wrecked trying  
10       to get it there and, as a result, a lot of the wood  
11       wasn't deliverable.

12                   Now, you and I could go back and forth on  
13       exactly how much wood was left at the end of it all.  
14       My point is, is that if the Board would like to drive  
15       up the highway they can still see the wood piles on the  
16       side of the road, they can still see other wood piles  
17       that in fact were burned.

18                   MR. BROWN: Yes, but that's  
19       non-merchantable timber, that was burned probably. You  
20       talk about slash piles alongside the road burnt, in  
21       most cases on right-of-ways you have to burn the  
22       non-merchantable because Joe public comes along and he  
23       doesn't want to see those piles of wood so you have to  
24       burn them.

25                   MR. HAMPTON: I'm aware of that, Fred,

1 I'm quite aware of have, and really I guess the board  
2 has to draw their own conclusion on that.

3 The best information I have based upon  
4 calculations, some of it from aerial photography, some  
5 of it from exact observation, is that at least 16,000  
6 cords of wood went to waste.

7 MR. BROWN: I don't think you can prove  
8 that.

9 MR. HAMPTON: Well, if the Board wants to  
10 come with me, I will do the best that I can to arrange  
11 a tour and we will look at it the best we can and we  
12 will even go over the old area of photographs to get an  
13 estimate of how much wood was actually there. Part of  
14 this estimate --

15 MR. BROWN: You can't take the Board on a  
16 tour of the Bending Lake Highway and the Sedgwick Lake  
17 Highway, you are talking about a specific incident.

18 Why not take the tour on the places where  
19 there is roads built every day and their wood is  
20 utilized fully because we can't leave it there?

21 MR. HAMPTON: Fred, I should tell you  
22 that the estimate of how much wood was originally  
23 there, okay, is also based on aerial photographs that  
24 were taken and cruises of it and the people I spoke to  
25 are the people who actually cruised the area.

1                   MR. BROWN: Did you go to the Sapawe mill  
2 and find out how much wood was delivered to the Sapawe  
3 mill off of that road.

4                   MR. HAMPTON: I don't have accurate  
5 numbers. I do know wood was delivered, I concede that,  
6 wood was delivered to the Sapawe mill from there. .

7                   MR. BROWN: If you took and got the  
8 numbers from the crews saying there was 16,000 cords  
9 there, why didn't you go to the Sapawe mill and find  
10 out how many cords were delivered off the road?

11                  MR. HAMPTON: I can still try do that.  
12 My understanding, the best information I have is that  
13 compared to the wood that was there from the aerial  
14 photographs and the wood that was there from the  
15 cruises that were conducted and the wood that was  
16 delivered to Sapawe mill, there was quite a large  
17 discrepancy.

18                  MR. BROWN: I can't argue with you there,  
19 but I know that there's no way that there's 16,000  
20 cords of wood left along the road because I've driven  
21 it hundreds of times.

22                  MR. HAMPTON: Fred, I think the  
23 commission has research staff attached to it and I  
24 invite them to actually take a look and examine what  
25 the eventual delivery rate was, to look at the aerial



1     photographs and they can come to their on determination  
2     of that.

3                     I could be wrong, but I'm operating on  
4     the best information I have and I think if you looked  
5     at the timber cruise surveys, if you looked at the  
6     aerial photographs and then you looked at the wood that  
7     was eventually delivered, I stand by the figures that  
8     I've given today.

9                     MR. BROWN: I think you will find there  
10    was more wood delivered, there wasn't 16,000 cords left  
11    in the bush.

12                    MADAM CHAIR: Excuse me, sir.

13                    MR. MARTEL: Before you go on. Maybe we  
14    could ask MNR to provide for us the figures on the  
15    volume of wood that, in fact, was there at the time the  
16    cruise occurred and from the aerial photographs, if  
17    they could give us a ballpark figure from their staff  
18    how much -- what the volume in fact was.

19                    MADAM CHAIR: I think what is at issue  
20    here is the volume that was actually delivered to the  
21    Sapawe mill and if you could also give us the volume of  
22    wood that was cut for the right-of-way much.

23                    MR. FREIDIN: I'm sorry, the volume of  
24    wood that was....?

25                    MADAM CHAIR: The volume of wood cut that

1 was cut for the right-of-way and the volume that went  
2 to the Sapawe mill. That would help us.

3 Unfortunately, Mr. Hampton, we don't have  
4 any research staff. We rely on people such as  
5 yourselves and this gentleman to bring evidence before  
6 us.

7 Could I have your name, sir?

8 MR. BROWN: It's Fred Brown.

9 MADAM CHAIR: Are you a contractor, Mr.  
10 Brown?

11 MR. BROWN: Yes, I am.

12 MADAM CHAIR: Thank you.

13 MR. BROWN: When he talked about the  
14 bottom of the stack, well, that's where we are.

15 MR. HAMPTON: And I am well aware of  
16 that, Fred.

17 MR. BROWN: If you are going to take a  
18 wood utilization survey of the road right-of-way, you  
19 shouldn't just use the Bending Lake Highway, you should  
20 maybe take wood utilization off all the roads that are  
21 cut and see what the percentage of that wood is left on  
22 the road right-of-ways.

23 MR. HAMPTON: I have no disagreement with  
24 you there, Fred.

25 MR. BROWN: You will find that the

1 Bending Lake Road, the percentage of wood there would  
2 be very small.

3 MS. BLASTORAH: Madam Chair, certainly on  
4 behalf of the Ministry of Natural Resources we will  
5 make inquiries and provide the Board with whatever  
6 information we are able to with regard to the volume of  
7 wood that was on the road right-of-way and what  
8 happened to it in terms of what went to the mill and  
9 any information as to the reason for the discrepancy.

10 We will provide the information we are  
11 able to get to together for the Board as soon as  
12 possible and certainly we will make that available to  
13 Mr. Hampton as well.

14 MADAM CHAIR: Thank you. And, Mr. Brown,  
15 would you like to see that information as well?

16 MR. BROWN: Well, I don't think it's  
17 necessary for me to see it.

18 MADAM CHAIR: Okay.

19 MS. BLASTORAH: Perhaps we could just  
20 indicate that anyone else who is interested in getting  
21 the information could let us know or certainly contact  
22 the Ministry and that could be made available.

23 MR. BROWN: Talking about site  
24 preparation, you talked about site preparing on the  
25 FMAs. Well, I'm a site preparation contractor on the

1 FMAs and he talks about the speed and the quality of  
2 the site preparation.

3 I know for a fact, being a contractor, if  
4 you are quality isn't there in the site preparation you  
5 go back and redo the area for nothing because you're  
6 supposed to do it right the first time and that's part  
7 of your contract.

8 MR. HAMPTON: Do you want my response to  
9 that, Fred?

10 MR. BROWN: Yes, like where did you get  
11 that information? Where do you think we just leave the  
12 area that is not scarified?

13 MR. HAMPTON: Fred, the remark wasn't  
14 that the area is left unscarified. That information  
15 came to me from a contractor who has run tree planting  
16 operations across the northwest and his -- he took me  
17 out and showed me a few sites and said: Here is an  
18 area that's scarified well, here is another area that  
19 hasn't been scarified well, this area will present a  
20 real problem to us in terms of tree planting.

21 That's part of the reality of the  
22 business. I think you will encounter areas that are  
23 easier to scarify, other areas that are more difficult  
24 to scarify. The point he was making and, again, it is  
25 a point you and I could debate back and forth, is that



1 many times you are under a lot of pressure to get the  
2 scarifying done within a certain period of time and  
3 under a certain budget, otherwise you don't make any  
4 money; right?

5 MR. BROWN: I will disagree with you. I  
6 tender the job and if I don't tender it properly, then  
7 that's my problem that I'm not going to make no money,  
8 but if I can do the job properly and if I'm not going  
9 to make money I don't take the job.

10 MR. HAMPTON: I don't disagree with you  
11 there. I think that what you run into are the same  
12 problems that a tree planter will run into.

13 You might sometimes run into terrain that  
14 is more difficult than you first thought, you might run  
15 into equipment problems, you might run into weather  
16 problems. All those things can occur and can run up  
17 your cost line and his point is, and it simply is, as  
18 somebody who contracts to plant trees, he says he is  
19 faced too often with areas that haven't been adequately  
20 scarified and that creates a real problem for him  
21 because he has to put so many trees in the ground over  
22 a certain period of time in order to make money.

23 Fred, I'm not pointing a finger at you or  
24 anybody else who does scarifying work, either for the  
25 Ministry or for Boise Cascade or for Canadian Pacific

1 Forest Products. It's not -- I'm not saying that you  
2 were derelict in your duty or anyone else is derelict  
3 in your duty.

4 What I am trying to point out is that  
5 there are a number of people - and obviously you  
6 disagree with them - who feel that the cost pressures  
7 that are inherent in some of this piecework process  
8 puts you in a bind. If you're going to make money,  
9 you've got to get stuff done within a certain period of  
10 time and below a certain cost structure.

11 On the other hand, it may take you longer  
12 or it may be a more difficult process to do the work up  
13 to the standard that the person who comes after you and  
14 plants trees would like to deal with. It's not a  
15 personal -- I'm not saying that people are out there to  
16 rip out off the system, I'm not saying that at all.  
17 What I'm saying is that I get a lot of complaints from  
18 people who may be come after the scarification process  
19 in the whole forest management operation and their  
20 concern is that they wish the scarifying were done  
21 better. If it were done better, they would find it  
22 easier to plant trees, they think they would have a  
23 higher success rate in terms of planting.

24 MR. BROWN: You are only a man and a  
25 machine, you can only do as much as a machine will do

1 and a man can do.

2 MR. HAMPTON: I understand this.

3 MR. BROWN: On a piecework basis, there  
4 is nothing wrong with it provided that you tender your  
5 contract properly.

6 MR. HAMPTON: His point again, and he has  
7 told me this about his tree planting operation, he  
8 said: Look, I look at a site, I say I can plant it for  
9 so much, but he also says I run into situations where  
10 I'm way over my costs for different reasons and I can  
11 run into problems, and he simply says we ought to look  
12 at that aspect of the piecework type of operation.

13 MR. BROWN: What's your solution? Do you  
14 want everybody to work by the hour in the country?

15 MR. HAMPTON: I think piecework operates  
16 very well in some situations. I think in other  
17 situations you may be better off working for the hour.

18 The response that I get when I talk to a  
19 lot of forest technicians and professional foresters  
20 is, if you are going to put it out on a contract basis,  
21 on a piecework system -- on a piecework basis, then we  
22 have to spend - when I say we, the MNR or the forest  
23 company - has to put more resources into inspection.

24 MR. BROWN: But the resources are there  
25 and on the FMA the inspections are there because I'm a

1 contractor there, I know there's nothing you can  
2 with -- I am a logging contractor, plus a site  
3 preparation contractor and the inspections are there on  
4 the FMAs.

5 MR. HAMPTON: He disagrees with you,  
6 Fred, and, quite frankly, after being taken over some  
7 of them and looking at them I disagree with you on some  
8 of them, too.

9 MR. BROWN: Are you on the FMAs or the  
10 Crown units? You talk about Atikokan. Bending Lake  
11 Highway, Sedgwick Lake Highway, that's in the Atikokan  
12 Crown unit and --

13 MR. HAMPTON: That's the Sapawe Crown  
14 Management Unit.

15 MR. BROWN: Yes. The feeling of a lot of  
16 the people is that is the poorest managed Crown unit in  
17 the area that you're picking on.

18 MR. HAMPTON: It may be, Fred. I've also  
19 been through the Flanders Crown Management Unit.

20 MR. BROWN: That is under some Atikokan  
21 management too; isn't it?

22 MR. HAMPTON: Yes, but I've also been  
23 through areas in and around Ignace.

24 MR. BROWN: Have you been through areas  
25 in Fort Frances?



1                   MR. HAMPTON: Yes, I have. I think it's  
2                   accepted, Fred, that where you go in Ontario, based  
3                   upon topography, based upon perhaps what the district  
4                   MNR's budget is, based on the difficulties they face,  
5                   you may mind varying circumstances, okay.

6                   That's something the Board has to decide.  
7                   You know, I've had the fortune or misfortune to see a  
8                   lot of the sites in the Sapawe Crown Management Unit,  
9                   I've had the opportunity to see stuff south of  
10                  Flanders, I've had the opportunity to see, you know,  
11                  what happens with some of the sites up the Manitou  
12                  Highway.

13                  I mean, you and I can debate this all  
14                  day, all I am saying is that there is evidence from  
15                  professionals foresters who are vitally concerned about  
16                  this, that everything that should be happening is not  
17                  happening all the time or is not happening as often as  
18                  it should and maybe the assessment Board should go up  
19                  and have a look at that.

20                  MR. MARTEL: Could I ask a question?

21                  MR. BROWN: In your profession, is  
22                  everything happening all the time like it should be?

23                  MR. HAMPTON: Certainly not, Fred.

24                  MR. BROWN: That's right.

25                  MR. MARTEL: Could I ask Mr. Brown a

1 question.

2 Mr. Brown, I think you said that the  
3 Sapawe Crown Unit, Management Unit wasn't managed as  
4 well, is that because, in your opinion, a shortage of  
5 funding?

6 We've heard that some of the Crown  
7 management units might not have received -- or might  
8 have had short shrift when the funds started to run  
9 out, that in fact I think it was Mr. Waddell from Eddy  
10 said that at the committee he was on there was a  
11 feeling that some of the Crown management units - I  
12 think I am paraphrasing this correctly, if I am not I  
13 hope somebody corrects me - that there was a feeling  
14 that maybe the Crown management units didn't get as  
15 much money or all the money they needed to do the job  
16 appropriately as compared to Crown -- as compared to  
17 FMAs. Is that your experience?

18 MR. BROWN: Yes, I would agree with you  
19 there that I think some of the Crown management areas  
20 are short are funds. The people are there to do the  
21 work and the people in the field are ready to do the  
22 work, but the money isn't there to do work the work.  
23 That's the problem I think in those Crown management  
24 units.

25 MR. MARTEL: But you are going to have to

1 draw on that wood some day anyway.

2 MR. BROWN: Pardon?

3 MR. MARTEL: We are going to have to draw  
4 on that wood someday off the Crown management units  
5 anyway to meet the demand.

6 MR. BROWN: They are cutting wood off the  
7 Crown management units there now, but it's just I think  
8 Atikokan is in a bad spot because it's affiliated with  
9 Thunder Bay and I think that Thunder Bay gets all the  
10 money and Atikokan, being a little wee town in the  
11 north, doesn't.

12 MR. MARTEL: Sounds like Toronto and  
13 Sudbury.

14 MR. BROWN: Talking about a piecework  
15 system and he talks about the guys having to cut down a  
16 tree, the top of a tree and then jump on a skidder and  
17 push it over, I don't know who you were talking to, but  
18 as a contractor that person wouldn't be working for me  
19 tomorrow because he would be a very, very poor person  
20 to have in the bush because he's having a problem.

21 It's a lot quicker to cut a tree down  
22 with a power saw than cut a tree halfway through with a  
23 power saw, jump back on the skidder and push it over.  
24 It don't make sense what you said.

25 MR. HAMPTON: No, what he was talking

1       about, Fred, is this, that --

2                   MR. BROWN: Well, that's what you said.  
3       You said the guy cut the tree halfway down and jumps on  
4       the skidder and pushes them the rest of the way over..

5                   MR. HAMPTON: No, Fred. And that was  
6       all --

7                   MR. BROWN: Isn't that what you said?

8                   MR. HAMPTON: No, it's not. This was all  
9       entered in evidence before the Workers' Compensation  
10      inquiry and two or three of the loggers who came  
11      forward said that they had done and they'd seen other  
12      people do it. You've got one person cutting and one  
13      person skidding and the guy who's cutting cuts about  
14      six -- makes cuts into about six trees and then moves  
15      on and his partner comes through in the skidder and  
16      pushes them down.

17                  MR. BROWN: That guy, if he was caught on  
18      the FMA under Boise management under any of the  
19      contractors, would probably be fired because -- and he  
20      wasn't a very good bushman because he should have been  
21      considering lots of other factors, you know, the lean  
22      of the tree and the terrain and everything else. He  
23      should have started in other place of the woods and  
24      that was his problem, he couldn't have been a very good  
25      professional cutter if he was doing that.



1                   MR. HAMPTON: I agree with you, Fred, and  
2 I think he would agree with you. The point he was  
3 trying to make is that he was also trying to make a  
4 buck and when -- as he said, when you get into some bad  
5 wood, that's one of the methods that they use.

6                   Fred, you're not arguing with me on this,  
7 this is all on the record. It was all evidence entered  
8 before the --

9                   MR. BROWN: Your point is what I am  
10 questioning you about because if you are stating the  
11 guy can cut a tree -- you can cut a tree halfway  
12 through and jump back on the skidder and push it over  
13 and cut wood faster than the guy who does it in a safe  
14 manner, is --

15                  MR. HAMPTON: No, the evidence entered  
16 before the Workers' Compensation inquiry was that it  
17 was a two-person crew, okay, and one fellow was cutting  
18 and then leaving -- as he said, I notched the trees  
19 pretty good, I tried to get six in a general area, I'd  
20 move on and I'd let the guy coming through in the  
21 skidder push them over.

22                  MR. BROWN: That happens in cases where  
23 the wood is leaning the opposite way on the face, but  
24 the guy is not to stay in the area, in the immediate  
25 area, he is supposed to move 200 feet out of the way

1 before the tree is pushed over.

2 MR. HAMPTON: Fred, you and I have no  
3 disagreement with this. I think it is probably an  
4 autrocious practice too, but I was there and I heard a  
5 couple of loggers come in and say that it happens and  
6 the way they presented it to the Worker's Compensation  
7 Tribunal is they said: Look, we can fell trees a little  
8 quicker and get them out of the bush a little quicker  
9 this way and make ourselves more money doing it this  
10 way.

11 MR. MARTEL: Was that the Badelle, Pilky  
12 inquiry?

13 MR. HAMPTON: That's right. And the  
14 point that has been made to me, all right, by a lot of  
15 people who were working on the piecework system,  
16 whether it be planting or cutting or in some cases  
17 scarification, is that when -- you are put in a  
18 pressure situation.

19 On the one hand, you know that if you go  
20 quickly you can make more money, okay, but on the other  
21 hand, if you go too quickly you might not do a very  
22 good job, but that's always the pressure for you.

23 MR. BROWN: On a piecework situation, you  
24 know if you're competent you can make money. That's  
25 the fact.

1                   MR. HAMPTON: I don't have any  
2 disagreement with you there.

3                   MR. BROWN: Talking about tree planting  
4 there, have you ever planted trees?

5                   MR. HAMPTON: Yes, have I.

6                   MR. BROWN: So have I. So how many did  
7 you put in in a day?

8                   MR. HAMPTON: When I did it, Fred, I did  
9 it because I wanted to experience what the other tree  
10 planters were going through so I would have some idea  
11 of what the job was like.

12                  MR. BROWN: I did it because I needed the  
13 money.

14                  MR. HAMPTON: Well...

15                  MR. BROWN: And I wanted to put trees  
16 back in the ground. Out of the Swedish forestry  
17 manual, 40 per cent of the trees are machine planted at  
18 800 trees per hour.

19                  MR. HAMPTON: That is --

20                  MR. BROWN: You know, is the quality  
21 satisfactory at this rate compared to the thousand  
22 trees per day hand planted?

23                  You use Sweden as an example yourself  
24 lots of times.

25                  MR. HAMPTON: Yes, the example I was

1       citing was that the information I have is that that is  
2       the rate of hand planting, that's the acceptable rate  
3       of hand planting.

4                   MR. BROWN: A thousand trees per day?

5                   MR. HAMPTON: No, it's less than a  
6       hundred. The figure that I received is mid hundreds is  
7       the acceptable planting rate for hand planting.

8                   I'm aware they use some mechanical  
9       planting there. I don't think that's the comparable  
10      issue. I'm not trying to compare mechanical planting  
11      in Finland or Sweden with hand planting here.

12                  MR. BROWN: What is the quality of the  
13      work?

14                  MR. HAMPTON: I am not prepared to  
15      comment on that and I didn't comment on it.

16                  MR. BROWN: But the quality of the work,  
17      you talked about the guys that they couldn't put in the  
18      trees properly and had over how many in the ground, how  
19      many trees in the ground properly?

20                  There is guys out there that are  
21      experienced tree planters that put in 1,500 to 2,000  
22      trees a day and they go in the ground with top quality.

23                  MR. HAMPTON: Fred, that may be the case  
24      in some situations. I'm not disagreeing with your  
25      assertion that there may be people out there who plant



1 well, okay?

2 What I'm asking this assessment Board to  
3 do is to look at, on a large scale basis, who are the  
4 companies who are generally engaged in tree planting,  
5 what is their professional capacity, how many  
6 foresters, for example, do they have on staff, how much  
7 forest technicians do they have on staff, how  
8 experienced are their tree planters, to get an idea  
9 perhaps of, you know, what is the professional capacity  
10 out there, what is the experience capacity?

11 MR. BROWN: Have you ever tried to hire  
12 tree planters?

13 MR. HAMPTON: No, Fred, I am not in that  
14 business, but I have --

15 MR. BROWN: Well, you talked about the  
16 experience of the tree planters. It's hard to find  
17 tree planters.

18 MR. HAMPTON: I know that because it is  
19 very hard work.

20 MR. BROWN: Yes, because people don't  
21 want to plant trees, so --

22 MR. HAMPTON: It's very hard work.

23 MR. BROWN: If you bring a crew of 40  
24 here and you can get half of them experienced you're  
25 luck.

1                   MR. HAMPTON: I'm well aware of that. In  
2 fact, I would say, you know, half of them -- you are  
3 probably asking for a lot to have half of them  
4 experienced.

5                   MR. BROWN: And the quality of the work  
6 has to be there on the FMAs or else they wouldn't get  
7 paid for their work.

8                   MR. HAMPTON: I think that's the only  
9 part that's a debateable point.

10                  MR. BROWN: The people on the FMAs are  
11 monitored every day.

12                  MR. HAMPTON: You have some conclusions  
13 you have drawn about this. What I have done is I  
14 received a number of calls from people who are in the  
15 tree planting business, who work for the Ministry of  
16 Natural Resources and supervise some of this and they  
17 are not happy with it.

18                  MR. BROWN: Yeah, but what is the per  
19 cent of those people that call you, the percentage of  
20 people that are out there working, because it's the  
21 same five people all the time.

22                  MR. HAMPTON: No, it's not. No, it's  
23 not.

24                  MR. BROWN: Like, there is a lot of  
25 people out there working, maybe more than a handful,

1       that call you that things are being done properly in  
2       some areas.

3                   MR. HAMPTON:  Fred, I can honestly tell  
4       you that in the three years that I've been in the  
5       elected position that I am in that I have had people  
6       from the Fort Frances MNR district office, people who  
7       work on the Boise FMA, people who are in the business  
8       of bidding on scarifying contracts here and for Great  
9       Lakes or what is now Canadian Pacific, people out of  
10      the Atikokan Ministry of Natural Resources office,  
11      people who are retired from the Atikokan Ministry of  
12      Natural Resources office, people who work for  
13      professional reforestation companies out of Thunder  
14      Bay, people out of the Ignace MNR office, people out of  
15      the Dryden MNR office, tree seedling operators, private  
16      tree seedling operators, all of them and it's not just  
17      the same three or four people all the time, it's a wide  
18      assortment of people.

19                   I think, Fred, what you're trying to do  
20      here is you're trying to get what this Board is trying  
21      to get at, which is this:  There is wide disagreement  
22      out there as to whether or not we are doing the right  
23      things in the right way in the forest.  You and I can't  
24      settle that.  I mean, you can tell me all of the  
25      evidence you have, I can tell you all the evidence I

1 have, it's not going to settle the argument.

2 MR. BROWN: The differential between our  
3 evidence is mine comes first-hand and yours comes  
4 secondhand from people that people are telling you, I  
5 am the grassroots.

6 MR. HAMPTON: Mm-hmm. You obviously have  
7 a different opinion from many of the people who call  
8 me, and I recognize that, and that's okay.

9 MR. BROWN: Okay. That's all I have to  
10 say.

11 MADAM CHAIR: Thank you very much, Mr.  
12 brown.

13 Is there anyone else who wishes to put a  
14 question to Mr. Hampton?

15 Mr. Hanna?

16 MR. HANNA: Yes, Madam Chair. I would  
17 like to just explore with Mr. Hampton the matter of  
18 wood wastage and, specifically, I would like to refer  
19 to the draft terms and conditions of the Ontario  
20 Federation of Anglers & Hunters.

21 There's a section in our terms and  
22 conditions that deal with conservation of wood fiber  
23 resources, and I would like to explore with him whether  
24 the kind of things that we're proposing might address  
25 some of the concerns that he's raised in terms of wood



1       wastage.

2                       Specifically I would like to refer to  
3       term and condition No. 165 and 166. I will read them  
4       out for him and then I will ask him for his opinion on  
5       it. No. 165 states:

6                       "The Ontario Ministry of Natural  
7       Resources shall have prepared, using a  
8       standardized statistically valid sampling  
9       methodology, as part of the  
10      post-operations report:

11      (1) an estimate of the wood felled due to  
12      any timber management activity but not  
13      delivered to the mill by various piece  
14      size type categories; and,

15      (2) the reasons for the wood not having  
16      been extracted and utilized."

17      The next term and condition is 166 and it  
18      states:

19                      "The Ontario Ministry of Natural  
20      Resources shall charge stumpage fees on  
21      all wood felled but not extracted for  
22      which the reasons provided are deemed to  
23      be inadequate with respect to the  
24      reasonable conservation of wood fiber."

25      And I ask you, Mr. Hampton, if that type

1 of provision as part of the normal timber operations  
2 would assist in addressing some of the concerns that  
3 you have?

4 And, as an example, the discussion you  
5 just had with Mr. Brown deals with whether or not wood  
6 has or has not been wasted. Would you see having those  
7 sort of statistics available being useful in dealing  
8 with your concern?

9 MR. HAMPTON: The short answer is I  
10 definitely think they would be helpful. It seems to me  
11 when I last read the Baskerville Report that he  
12 basically made reference to those kinds of numbers  
13 being available. If they were available they would be  
14 most helpful.

15 One of the things that comes -- that  
16 strikes me out of Baskerville was he said, we have  
17 statistics on all kinds of things but sometimes we  
18 don't have statistics on the things that are  
19 meaningful. And those would be meaningful categories  
20 of a statistical measurement.

21 MR. HANNA: Thank you, Mr. Hampton.  
22 Those are my questions.

23 MADAM CHAIR: All right, thank you.

24 MR. MARTEL: Can I ask one final  
25 question. We looked at stocking and we know what

1        stocking levels are. Do we overplant, and by that I  
2        mean, do we plant a lot more than is necessary in order  
3        to get the stocking we want, and would that be part of  
4        the quality control, that we should be really planting  
5        much more carefully to start with and, therefore, not  
6        need as much in the way of seedling in order to achieve  
7        the stocking levels we want to get at, thus cutting  
8        costs all the way down the line?

9                    MR. HAMPTON: I think we do overplant,  
10       but I think the wider equation here, and one that I  
11       hear repeated to me all the time by MNR forest  
12       management technicians, is that our management of the  
13       forest needs to be more intensive.

14                   For example, they talk about reducing the  
15       size of clearcuts. One fellow said to me, clearcuts  
16       should not be larger than 50 hectares and we should --  
17       that ensures tighter wood utilization, better  
18       regeneration practices. It's easier, as he says, to  
19       inspect a smaller clearcut area, and he also says we  
20       might not need to use planting as much, if we use  
21       smaller clearcuts there would be better opportunity for  
22       natural regeneration.

23                   I think what you have asked is -- in  
24       asking do we plant too much, is there a different model  
25       that we could do this by, and I think overwhelmingly

1       there is. And I think what's happening now in  
2       Minnesota is enlightening in that respect, they are  
3       limiting the size of clearcuts on natural forests and  
4       state forests. They're not planting as much, as I  
5       understand it, and they're using more natural  
6       regeneration and, as I understand it, it's easier to  
7       use natural regeneration procedures when your clearcuts  
8       are smaller.

9                       I think operating according to a  
10       different model we wouldn't need to plant as much and  
11       we wouldn't need to plant as many and perhaps not waste  
12       as much money in that area of forest operations.

13                      MADAM CHAIR: Mr. Hampton, I have one  
14       further question about the photographs you have left  
15       with us.

16                      MR. HAMPTON: Yes.

17                      MADAM CHAIR: Could you identify the  
18       species of trees that are piled beside the road? Do  
19       you know if it's jack pine or aspen or...

20                      MR. HAMPTON: It's my understanding that  
21       the piles that are identified along Highway 622 are  
22       almost completely jack pine piles and the piles along  
23       the Sedgewick Lake Road are jack pine, spruce and some  
24       poplar, but not much poplar.

25                      MADAM CHAIR: All right, thank you.



1 MS. BLASTORAH: Madam Chair, I don't know  
2 whether anyone else had any questions, Mr. Cassidy, but  
3 if no one else does, I have some.

4 MADAM CHAIR: All right. How many  
5 questions do you have, Ms. Blastorah?

6 MS. BLASTORAH: Oh, quite a few perhaps.  
7 Did you want to take another break?

8 MADAM CHAIR: One moment, let's...  
9 ---Discussion off the record

10 MADAM CHAIR: We have two other people  
11 scheduled this morning to make presentations, Kim  
12 Ginter and Mr. Georgeson.

13 Are you in the audience?

14 (hands raised)

15 All right. If this session should run  
16 beyond our lunch break, would you be able to return in  
17 the afternoon?

18 MR. GINTER: Yes.

19 MADAM CHAIR: Because if you're unable  
20 to, you could give the Board your presentations now.  
21 Would that be more convenient for you? Did you plan to  
22 come back for the afternoon session?

23 MR. HAMPTON: No, I can't.

24 MADAM CHAIR: All right, fine. Then why  
25 don't we -- pardon me, Mr. Hampton?

1 MS. BLASTORAH: I understand that Mr.  
2 Hampton may have some availability problem this  
3 afternoon.

4 MADAM CHAIR: All right. Then why don't  
5 you put your questions to Mr. Hampton now and try to  
6 keep them short.

7 MS. BLASTORAH: I will try to be as  
8 specific as possible, Madam Chair.

9 MR. FREIDIN: Madam Chair, before she  
10 does that, could I have copies of the photographs.

11 MR. HAMPTON: I'll give you my copies.

12 MR. FREIDIN: All right. I'd rather have  
13 the big ones, yes. I will look at them while Ms.  
14 Blastorah asks the questions.

15 MR. CASSIDY: Madam Chair, I may have a  
16 few questions as well after Mrs. Blastorah. Depending  
17 of course on the nature of the conversation, I may not  
18 as well.

19 MADAM CHAIR: All right. Well, the Board  
20 might cut the questioning short, but let's hear how  
21 it --

22 MS. BLASTORAH: I will try to be as brief  
23 as possible. I had a few questions perhaps in areas  
24 that were already covered by Mr. Brown, so that should  
25 help to shorten it somewhat.

1           To make things go as quickly as possible,  
2           given the rather sketchy nature of my notes, I will try  
3           and start at the beginning and work my way through.

4           I believe the first instance that Mr.  
5           Hampton was speaking of were the cuts along Highway  
6           622, and I just have a couple of questions in relation  
7           to the wood that he was talking about that was left  
8           along the road. You indicated, Mr. Hampton, that you  
9           are not a forester. I take it you are also not an  
10          engineer?

11           MR. HAMPTON: No, I am not.

12           MS. BLASTORAH: Okay. I am not either,  
13          so we will do the best I can. I take it that you  
14          didn't have any discussions with the Ministry of  
15          Transportation with regard to why the road was built  
16          the way it was?

17           You indicated that in your opinion it was  
18          sort of built in a half-ass manner, if you will, it was  
19          sort of started here and picked up there. And I was  
20          wondering if you had made any inquiries of the Ministry  
21          as to why the road was built in the way it was, or what  
22          the engineering rationale for that construction pattern  
23          might have been?

24           MR. HAMPTON: I don't know the specific  
25          engineering reason, but there was an existing logging

1 road, bush road that goes north from Atikokan and goes  
2 approximately -- went approximately up to the bottom of  
3 West Clearwater Lake and that road ran -- runs at  
4 various times or ran at various times beside or not too  
5 far away from the existing Highway 622.

6 Perhaps it was felt that you could get  
7 most of the highway construction equipment in and that  
8 is where the road should be started from. I'm not sure  
9 of the exact engineering reason.

10 MS. BLASTORAH: So there may well have  
11 been practical reasons for starting the road at a  
12 number of points or constructing it in stages; for  
13 instance, getting the equipment to the site in the  
14 safest and most efficient way?

15 MR. HAMPTON: That could perhaps be a  
16 reason. I wasn't concerned so much with the highway  
17 construction end of it as I was with, again, the  
18 complaints were brought about the wood utilization.

19 MR. BLASTORAH: Fair enough. I take it  
20 you would agree, however, that the terrain in that area  
21 is pretty rugged, and that in fact it would probably be  
22 true that you could get a skidder or road clearing  
23 equipment in there before you could ever get a haul  
24 truck into that area?

25 MR. HAMPTON: The terrain of the Bending



1 Lake Highway varies a great deal. At the northern end  
2 it's particularly rocky and hilly, in the central part  
3 there are parts of it that are quite sandy, at the  
4 southern end, as I said, there is an existing or there  
5 was an existing access road, although over the years it  
6 had fallen to some disrepair.

7 MS. BLASTORAH: So there would be sites  
8 along the road where road clearing equipment could be  
9 got in there long before you could ever get any kind of  
10 trucking equipment in during the construction phase at  
11 some points, for instance, the rocky ones that you  
12 mentioned?

13 MR. HAMPTON: Yeah, theoretically.

14 MS. BLASTORAH: And I take it, given the  
15 rocky conditions, there might well be blasting  
16 involved?

17 MR. HAMPTON: At the north end I think  
18 there was considerable blasting involved.

19 MS. BLASTORAH: And would you agree with  
20 me that certainly in terms of hauling the wood, worker  
21 safety in doing that operation would be a primary  
22 consideration, you wouldn't want to be putting people  
23 in there in haul trucks under unsafe conditions?

24 MR. HAMPTON: My understanding is, is  
25 that's part of the reason that hauling was

1 discontinued, a couple of trucks were wrecked.

2 MS. BLASTORAH: Right. I believe you  
3 mentioned that.

4 MR. HAMPTON: That's right.

5 MS. BLASTORAH: So there were some  
6 accidents. So certainly you would agree with me that  
7 you wouldn't want to be trying to haul wood in unsafe  
8 conditions, like situations that give rise to those  
9 accidents?

10 MR. HAMPTON: Absolutely.

11 MS. BLASTORAH: And in fact that may have  
12 been one of the reasons - well, I guess you have  
13 indicated - that that was the reason that hauling that  
14 wood was discontinued?

15 MR. HAMPTON: That's my understanding.

16 MS. BLASTORAH: Right. And I take it you  
17 would also agree that there is a window in time, if you  
18 will, during which merchantable timber can be hauled  
19 out and still be merchantable, the wood will decompose  
20 over time?

21 MR. HAMPTON: Did you say I would  
22 disagree?

23 MS. BLASTORAH: No, I take it you  
24 wouldn't disagree with that?

25 MR. HAMPTON: I would agree that wood to

1 be merchantable has to be salvaged within a certain  
2 period of time, yes.

3 MS. BLASTORAH: Right. So if the wood  
4 were not able to be hauled out for safety reasons  
5 before it reached a stage where it was no longer  
6 merchantable, then it really wouldn't pay to take that  
7 wood out of there necessarily?

8 MR. HAMPTON: That's right. And that's  
9 the conundrum you run up against.

10 MS. BLASTORAH: That's right. And I take  
11 it that if there were situations where as a result of  
12 blasting activities; for instance, there were blasted  
13 rock imbedded in some of that wood that was piled on  
14 the right-of-way, that also might contribute to its  
15 becoming unmerchantable?

16 MR. HAMPTON: I think that if the highway  
17 construction is not planned with wood extraction in  
18 mind, with efficient and proper wood extraction in  
19 mind, that there are all kinds of things that could go  
20 wrong with a road building project which might result  
21 in wood being left in the bush.

22 MS. BLASTORAH: But I take it you  
23 wouldn't say that not hauling because of worker safety  
24 conditions or because the wood has been somehow made  
25 unmerchantable, that wouldn't be one of those

1 situations where it's problem, it's just a fact that  
2 the nature of construction.

3 MR. HAMPTON: Nature of planning.

4 MS. BLASTORAH: Are you suggesting that  
5 you could somehow plan to haul wood under unsafe  
6 conditions? I am not sure I am following you.

7 MR. HAMPTON: No, I think -- again, the  
8 suggestion that was put to me by professional  
9 foresters, by forest technicians in waters was that  
10 when you plan to build a road, you plan it with proper  
11 wood extraction in mind. And that wasn't done, and  
12 that is their complaint, that that wasn't done in this  
13 case, somehow the wood got lost in the shuffle.

14 MS. BLASTORAH: Okay. I take it then  
15 your comment that worker safety and the fact that the  
16 haul was discontinued because of those accidents that  
17 occurred as a result of the poor hauling conditions,  
18 you wouldn't count that into poor planning  
19 considerations; if in fact you couldn't get trucks in  
20 there because of the terrain so that you could haul in  
21 a safe manner, no amount of planning would change that  
22 fact and you wouldn't suggest that you should be trying  
23 to haul under those conditions just to save the wood?

24 MR. HAMPTON: I think we are putting the  
25 cart before the horse here a bit. The forest



1 technicians who looked at this said the road should  
2 have been planned -- that the Ministry of Natural  
3 Resources should have gone to the Ministry of Transport  
4 and said: There is so much wood in there you have to  
5 build a road, we insist that you start building it here  
6 and you build it in this way so that we can get the  
7 wood out. It may cost you a little more money, but we  
8 want to be able to get the wood out.

9 And their position is that wasn't done or  
10 if it was done there weren't the requirements in place  
11 either in law or in procedure to ensure that that in  
12 fact happened.

13 MS. BLASTORAH: Okay. I will move on  
14 because I am aware of the time constraints.

15 Moving on to the next example you gave,  
16 the Sedgewick Lake Road, you talked about available  
17 wood or wood being cut on the right-of-way and left on  
18 the right-of-way after construction.

19 Are you aware of any of that wood being  
20 made available to the public as firewood?

21 MR. HAMPTON: I understand some of it has  
22 been made available to the public as firewood. I  
23 understand some of the wood along, for example, Highway  
24 622 has also been used as firewood, people have simply  
25 gone up and cut it up.

1 MS. BLASTORAH: And in situations where  
2 that wood was not taken for firewood or was not  
3 merchantable, would you agree that that wood causes a  
4 fire hazard and that steps to burn that wood or remove  
5 it in some manner such as that would be the appropriate  
6 steps to take to prevent the incidence of a large  
7 forest fire perhaps as a result of that wood being  
8 piled there in concentration?

9 MR. HAMPTON: If the road has been  
10 constructed or the wood has been left there in such a  
11 way that it can't be harvestable, then using it as  
12 firewood or perhaps burning it on site may be your only  
13 alternatives left.

14 My point, and the point again of the  
15 people who came to me, was the planning of the road and  
16 the construction of the road should have had within it  
17 a requirement that the wood be harvested and be taken  
18 out.

19 MS. BLASTORAH: Okay. We may be talking  
20 at cross-purposes. If the wood were cut on the  
21 right-of-way and the merchantable timber were harvested  
22 and wood left on the site - for instance, because it  
23 was not of merchantable quality or of any particular  
24 use to the mill - was made available to local people  
25 for firewood and those people came and took what they

1       wanted and, notwithstanding those two steps, there was  
2       still wood left on site that basically nobody wanted,  
3       and that wood were burned to prevent forest fire risks,  
4       would you agree that would be an appropriate step to  
5       take?

6                   MR. HAMPTON: I think it's the last of  
7       the choices, but in some circumstances it would be the  
8       only choice.

9                   MR. MARTEL: Under what circumstance -  
10      can I ask - would jack pine for example, and not for  
11      lumber but for pulp, not be merchantable?

12                  MS. BLASTORAH: Are you asking me, Mr.  
13      Martel?

14                  MR. MARTEL: Well that question, maybe  
15      MNR can eventually answer this. I'm just at a loss in  
16      my own head as to, if jack pine was left and black  
17      spruce was left, if it couldn't be used for lumber, why  
18      it couldn't be utilized in the pulp and paper industry?

19                  MR. FREIDIN: The question is noted, Mr.  
20      Martel, in my list.

21                  MR. MARTEL: I thank you, Mr. Freidin.

22                  MR. FREIDIN: It's getting very long.

23                  MS. BLASTORAH: I was going to take a  
24      look at these photographs but I haven't really had an  
25      opportunity to do that, and I don't want to hold up the

1       proceedings here.

2                   You spoke about -- I won't go through the  
3       photographs, but maybe just one or two quick questions  
4       in relation to the issue of part piles of harvested  
5       wood being left and not picked up by the skidder  
6       operator. I take it it was at the landing you are  
7       speaking of?

8                   MR. HAMPTON: That's right.

9                   MS. BLASTORAH: Would you agree that in  
10      situations where, for instance, that operation was  
11      being carried out in the winter, there may be some  
12      situations where the bottom few logs might be frozen  
13      into the ground and aren't removable because of that  
14      condition, and in those situations would you agree that  
15      it's not necessarily negligence on the part of the  
16      operator that results in those logs being left but just  
17      a circumstance of nature?

18                  MR. HAMPTON: I would agree with you that  
19      can happen. I don't think it's negligence on the part  
20      of the operator and I don't think the pictures of the  
21      piles I have shown you is negligence on the part of the  
22      operator.

23                  MS. BLASTORAH: As I mentioned, I am not  
24      specifically referring to those piles. I haven't had  
25      an opportunity to review those photographs, I am just



1 point out that or asking you--

2 MR. HAMPTON: No, that happens, sure.

3 MS. BLASTORAH: --to agree there might be  
4 situations like that?

5 MR. HAMPTON: That happens.

6 MS. BLASTORAH: Moving on to the comment  
7 you made about site preparation, you indicated that you  
8 had had comments from, I believe it was tree planting  
9 contractors, or at least one tree planting contractor  
10 to the effect that on some occasions this particular  
11 contractor would arrive at a site to carry out planting  
12 operations and would be somewhat dismayed perhaps by  
13 the level of site preparation that appeared on the  
14 site.

15 Would you agree that notwithstanding best  
16 efforts on the part of the people doing the site  
17 preparation operations, a variable level of success in  
18 doing, for instance, scarification operations might be  
19 achieved simply as a result of site conditions; in  
20 other words, some sites will just by their nature be  
21 more easily and better site prepared?

22 MR. HAMPTON: When I presented that  
23 issue, the information I was given is that the tree  
24 planter was of the view that the rate for site  
25 preparation is -- that he was looking at was a piece

1 rate and that it was his view the operator had tended  
2 to go quickly over the area to keep his operating costs  
3 within a budgeted tender price.

4 I don't think there is any agreement that  
5 some areas are easier to prepare than others. His  
6 point was that he had come across many sites that  
7 looked like they had been done under either time  
8 pressure or budget pressure and were not done as well  
9 as they should have been or could have been done.

10 MS. BLASTORAH: And that was the opinion  
11 of that particular contractor?

12 MR. HAMPTON: That's right.

13 MS. BLASTORAH: That particular tree  
14 planting contractor in a particular situation?

15 MR. HAMPTON: That's right. He did take  
16 me out to a couple of the sites, and I did see them,  
17 and he pointed out the differences and said: You know,  
18 this site should have been easy to prepare and should  
19 have been prepared better than it has been.

20 MS. BLASTORAH: And just for  
21 clarification purposes, I understand it's the case that  
22 people who do the tree planting actually bid those  
23 contracts after the site preparation work has been  
24 done, so in fact that person would have an opportunity  
25 to review the site he was going to be planting on prior

1 to bidding for that planting contract; is that correct?

2 MR. HAMPTON: The information I have is  
3 that you generally are given the opportunity -- you  
4 know or you should know what you are getting into. But  
5 as he pointed out to me, he said: Look, in a given  
6 area I am called upon to plant 500,000 trees. I am  
7 given so much time to prepare a contract. I don't have  
8 the time to survey every piece of the area, I may walk  
9 over part of it and say, yeah, I can do it for this  
10 amount.

11 But, again, his complaint was not  
12 necessarily that, you know, it may cost him more money  
13 or that he may lose money on it, his problem is that he  
14 showed me sites, he said: Look, it's pretty difficult  
15 to plant on these and I don't know what our success  
16 rate is going to be on these because the scarification  
17 and preparation just hasn't been done up to what he  
18 would call appropriate speaking as an experienced  
19 professional forester.

20 MS. BLASTORAH: Sorry. I'm trying to  
21 eliminate questions as I go, Madam Chair, so I am  
22 hopefully cutting this down, even though I am pausing  
23 here now.

24 And you also spoke about winter cuts and  
25 the level of, I believe it was site preparation or

1 regeneration treatments, and you indicated you didn't  
2 feel that some of these winter cuts were getting  
3 appropriate treatment.

4 I would suggest to you that in some cases  
5 winter cuts are used in areas where the terrain is such  
6 that it's very difficult to get equipment in during  
7 warm weather months, perhaps wet terrain and so on, and  
8 I would suggest to you that in those cases it may be  
9 very difficult to do site preparation operations and  
10 that can affect the nature of the treatment that is in  
11 fact carried out. You'd agree with that; would you?

12 MR. HAMPTON: Mm-hmm. It affects more  
13 than that, I mean it can make it very difficult to get  
14 trees in and it can make it very difficult to get  
15 people in to do the work.

16 MS. BLASTORAH: And I would suggest to  
17 you that some of those areas can be and have been  
18 adequately regenerated without planting where a proper  
19 silvicultural system is employed, and that you don't  
20 necessarily have to have summer access in all cases of  
21 winter harvest in order to get adequate renewal  
22 results?

23 MR. HAMPTON: That's right. But again,  
24 the example he showed me and that he pointed out to me  
25 was a winter cut area -- it was a winter cut area where



1 the expectation was that it was going to be site  
2 prepared and that he was going to get his truckloads of  
3 seedlings in and he was going to bus his people in and  
4 he was going to hand plant it, and he took me over to  
5 it and he said: Now, how we are going to make any  
6 sense out of this was beyond him.

7 MS. BLASTORAH: I am not sure I  
8 understand that comment.

9 MR. HAMPTON: Well, the difficulty first  
10 of all of getting equipment in to site prepare, the  
11 difficulty of getting seedlings in -- of trucking  
12 seedlings in was a second problem and the difficulty of  
13 getting his people in was a final problem.

14 MS. BLASTORAH: And was this the same  
15 tree planter we were talking about before? I am just  
16 having trouble --

17 MR. HAMPTON: Yes.

18 MS. BLASTORAH: So it's the same  
19 situation we were talking about before, the same site  
20 that you had indicated before, the gentleman, whoever  
21 you were speaking to, had indicated that he felt an  
22 inadequate job of --

23 MR. HAMPTON: No. No, no. No, no, no.

24 MS. BLASTORAH: This is a different  
25 situation?

1                   MR. HAMPTON: What he is talking about  
2 here is a simple reference to winter cuts, and he has  
3 no disagreement, by the way, you know, that winter cuts  
4 are perhaps best dealt with otherwise.

5                   MS. BLASTORAH: This is a tree planter we  
6 are talking about?

7                   MR. HAMPTON: That's right.

8                   MS. BLASTORAH: And in this particular  
9 situation that you are talking about, was this a  
10 situation where this particular individual was  
11 proposing to or had bid on the tree planting contract  
12 for that site?

13                  MR. HAMPTON: That's right.

14                  MS. BLASTORAH: So in fact this person  
15 had reviewed the site and bid on a contract to plant  
16 that site and yet was expressing to you views that he  
17 had some concern about the ability to get equipment and  
18 personnel and trees in there?

19                  MR. HAMPTON: That's right.

20                  MS. BLASTORAH: And yet he bid on the  
21 site nonetheless?

22                  MR. HAMPTON: And, as I understand it,  
23 sometimes the sites are large enough and complicated  
24 enough that you are put in that situation.

25                  MS. BLASTORAH: Did you make any

1 enquiries of this person as to how he had taken those  
2 factors into account in preparing his tender or whether  
3 he was, nevertheless, assuming that this would be a  
4 profitable contract for him to carry out operations on  
5 that site, given his concerns about the ability to get  
6 in people and trees and equipment?

7 MR. HAMPTON: What I am told is this:  
8 That you make inquiries about the availability of a  
9 road, you make inquiries about how far you may have to  
10 take something over a winter road, and after you bid  
11 the contract you find out that it may be more  
12 difficult.

13 For example, there is a real problem with  
14 road maintenance and that was his problem -- that was  
15 part of the problem he faced. The road is not  
16 adequately maintained, where the road ends and you have  
17 to go further into what was a winter cut, there is no  
18 road and yet he had understood that the conditions were  
19 better than that both in terms of the maintenance of  
20 the existing road and in terms of how difficult it  
21 would be to get into the winter cut.

22 MS. BLASTORAH: I understood you to agree  
23 with me earlier that people who are doing tree planting  
24 contracting work and who are bidding on tree planting  
25 contracts do have the opportunity to review the sites

1       they are going to be bidding on prior to bidding on the  
2       contracts. You agreed with me on that before.

3               I take it that this individual would have  
4       that opportunity in this situation had he elected to  
5       take advantage of that. Do you know whether in fact  
6       the individual did view the site prior to bidding on  
7       the contract and, in fact, was your visit to the site  
8       with this individual prior to his bidding on the  
9       contract or after he had bid on and received the  
10      contract?

11             MR. HAMPTON: Mine was after he bid on  
12      and received it. Mine was -- my visit to it was in the  
13      spring a year ago when he was trying to figure out how  
14      he was going to get this job done under the  
15      circumstances, and his explanation to me was he thought  
16      it was -- he did not think it was going to be as  
17      difficult, he thought the road was going to be in  
18      better shape, he did not think the winter cut was going  
19      to be as inaccessible as it was proven to be.

20             MS. BLASTORAH: Do you know whether he  
21      had then taken advantage of the opportunity to view the  
22      site prior to bidding on the contract?

23             MR. HAMPTON: I believe he did get out to  
24      the site, yeah.

25             MS. BLASTORAH: So he had seen what he



1 was bidding on before he bid on it?

2 MR. HAMPTON: Well, as he explained it to  
3 me, it's not always that easy. You don't realistically  
4 in terms of time have an opportunity to survey every  
5 element of each one you bid on and, therefore, you rely  
6 on whatever information you get, whether it's informing  
7 from the Ministry of Natural Resources or, in this  
8 case, under a forest management agreement.

9 MS. BLASTORAH: I believe -- moving on to  
10 another area, I don't want to belabour that point. You  
11 made some comment --

12 MADAM CHAIR: I think you already did,  
13 Ms. Blastorah.

14 MS. BLASTORAH: I apologize, Madam Chair,  
15 I am having a little trouble keeping track of who is  
16 saying what in these circumstances because we have no  
17 names attached to any of these comments.

18 MADAM CHAIR: Mr. Hampton will have to  
19 remember cross-examine the tree planting contractor the  
20 next time he runs into him.

21 MS. BLASTORAH: I just want to make sure  
22 that I am clear on who is saying what here.

23 You made a few comments on full-tree  
24 logging and I was just wondering whether you are aware  
25 that some logging contractors in fact are in favour of

1 full-tree logging because they feel it is safer in  
2 terms of their workers and more efficient.

3 Are you aware of that kind of comment by  
4 the --

5 MR. HAMPTON: I'm aware that between some  
6 Ministry of Natural Resources' foresters and forest  
7 technicians and some logging operators there is a great  
8 deal of disagreement over this. I mean, I have been  
9 caught in the middle of it in a few situations.

10 MS. BLASTORAH: But you say that there is  
11 great deal of disagreement. I take it that you would  
12 agree with me then that some loggers are in favour of  
13 full-tree harvesting for those reasons?

14 MR. HAMPTON: There are a number of  
15 reasons why they would be in favour of full-tree  
16 harvesting.

17 MS. BLASTORAH: But they are in favour of  
18 in some cases?

19 MR. HAMPTON: Oh yes, they are.

20 MS. BLASTORAH: Okay. Would you also  
21 agree with me then that the harvest method must in  
22 every case be matched to the site conditions and the  
23 plan renewal techniques that are to follow-up, whether  
24 it be site preparation and planting or seeding or  
25 natural regeneration, that it is important to match the

1 harvest technique to the site?

2 MR. HAMPTON: Ideally, yes, it is.

3 MS. BLASTORAH: And where in fact a clean  
4 site, for instance, arising from full-tree logging is  
5 appropriate and the best bet for getting a successful  
6 regeneration level, that that would be the appropriate  
7 harvesting technique to prescribe in those situations?

8 MR. HAMPTON: I think the disagreement  
9 that occurs is that -- and the way the disagreement  
10 occurs is that the logger, in terms of how he is set up  
11 to operate, it may be financially better for him to  
12 pursue full-tree logging and the forester in given  
13 circumstances has said it would be better for our  
14 regeneration efforts if we didn't pursue full-tree  
15 logging, if we left tops and the branches where the  
16 tree is cut down.

17 That's where the difference arises in  
18 many cases, and if you listen to the forest techs they  
19 will tell you that in those situations, too often what  
20 is good in terms of reforestation is overruled in terms  
21 of what is good for making money and that's their  
22 objection. I have seen those disputes take place. As  
23 I said, I've been in the middle of them, between the  
24 logger who says: We can get the wood out quicker, we  
25 can get it out cheaper if you let us full-tree long,

1 skid it out, cut the tops off, cut the branches off by  
2 the pile and the forest tech says: No, no, I want the  
3 tops and the branches to come off in the bush and  
4 that's how it happens.

5 MS. BLASTORAH: Those would be Ministry  
6 forest techs in some cases, I take it?

7 MR. HAMPTON: That's where I've witnessed  
8 it, yes.

9 MS. BLASTORAH: Just one minor point  
10 here. You indicated that you disagreed with Mr. Brown  
11 in relation to the obligation of -- or the fact that  
12 forest management agreement -- that on forest  
13 management agreements monitoring it carried out, and  
14 that in situations where regeneration is inadequate  
15 there is an obligation to retreat.

16 I believe you indicated that your  
17 information was somewhat different from his, and I am  
18 just wondering whether you are familiar with the  
19 provision in the standard form forest management  
20 agreement requiring retreatment under certain  
21 prescribed situations. Have you had an opportunity to  
22 review an agreement of that type?

23 MR. HAMPTON: I haven't recently, but I  
24 think I know what you're referring to.

25 MS. BLASTORAH: So you are familiar that



1       there is that sort of provision in forest management  
2       agreements?

3                   MR. HAMPTON:   Right.

4                   MS. BLASTORAH:   Thank you.

5                   MR. HAMPTON:   If I could add.   I think  
6       through all of this, the problem that many people at  
7       the ground level forest techs have is that where it may  
8       say:   this shall be done in the schedule, for example,  
9       the tree planting schedule, that in fact due to the  
10      volume of the number that are being planted - I will  
11      use planting as an example - due to the volume or the  
12      number that are being planted, due to not having enough  
13      staff or just due generally to the fact that you want  
14      to get the job done, they you are often put in a  
15      position where you overlook some of these things and  
16      you are forced to overlook them.

17                   If you insist on every comma in every  
18      clause of the schedule, that there would be very few  
19      people out there doing the work and that's their  
20      submission.   Why have the schedules if you're not going  
21      to observe them?

22                   MS. BLASTORAH:   Apart from the --   the  
23      instance you just gave I believe was a planting  
24      instance--

25                   MR. HAMPTON:   That's right.

1 MS. BLASTORAH: --but just going back to  
2 the regeneration results, which is what I was asking  
3 you about, would you agree that notwithstanding  
4 whatever may or may not be done in terms of planting  
5 success--

6 MR. HAMPTON: Right.

7 MS. BLASTORAH: --whatever may be the  
8 result there, that the proof of the pudding is really  
9 in the regeneration results on a given area, and that  
10 where there is a provision that unacceptable  
11 regeneration results will be retreated at the forest  
12 management agreement holder's cost, that that would be  
13 a mechanism to address your concern, at least to some  
14 extent?

15 MR. HAMPTON: On a theoretical level,  
16 yes, but on a practical level, again, the disagreement  
17 that you get - and I speak again from forest management  
18 techs that I've spoken to - they simply feel that the  
19 review that is conducted of how well an FMA holder has  
20 supervised or performed their task or required this  
21 task to be done is not adequate and hasn't been  
22 adequate in some cases.

23 MS. BLASTORAH: One more question arising  
24 out of Mr. Brown's questions to you and this is perhaps  
25 more a matter of curiosity than anything.

1                   He indicated that he had offered to take  
2   you out into the woods and that you hadn't taken him up  
3   on that. Is there any particular reason for that?

4                   MR. HAMPTON: If I remember the exchange  
5   of letters that Fred and I have had, I indicated to him  
6   that I'd be happy to go with him at anytime. Since  
7   then we haven't had the opportunity to talk about the  
8   issue. My offer still remains. I'd be happy to go out  
9   with him and, as I said, I intend to visit some  
10   Ministry plants next week.

11                  MS. BLASTORAH: Again something that Mr.  
12   Brown dealt with. He came back to your comments about  
13   the number of trees per hour, I believe it was, planted  
14   in Sweden and he indicated -- he gave some figures in  
15   relation to mechanical tree planting out of, I believe  
16   it was, the Swedish tree planting manual, I don't know  
17   that exact name for that manual, but I believe it was  
18   out of a manual, and he indicated that was in relation  
19   to mechanical tree planting.

20                  Do you know how much mechanical tree  
21   planting is done in Sweden. For instance, what  
22   proportion in relation to hand planting?

23                  MR. HAMPTON: No, I don't.

24                  MS. BLASTORAH: Is it possible or can  
25   you -- do you have any information whether it's the

1 case that in fact hand tending in Sweden might be done  
2 in situations -- or hand planting, rather, in Sweden  
3 might be done in situations, for instance, of difficult  
4 terrain or where special care is required?

5 Do you have any information whether  
6 that's the case or not?

7 MR. HAMPTON: I don't have specific  
8 information on it, no.

9 MS. BLASTORAH: So I take it you couldn't  
10 comment then as to whether the low rate that you cited  
11 of 600 trees per hour, or you said some hundreds of  
12 trees per hour, might in fact be due to terrain  
13 conditions or special situations such as that where  
14 special care is required?

15 You simply can't comment on that, I take  
16 it?

17 MR. HAMPTON: No, I can't comment on the  
18 specifics of the Swedish operation, but my point is  
19 that if you start breaking it down into trees per  
20 second, trees per minute, you have to put a lot of  
21 trees in the ground in a one-hour day -- in a ten-hour  
22 day in order to get up there around the 2,000, 2,500  
23 mark.

24 The position of a lot of forest techs is  
25 that a lot of those tree aren't going in the ground



1 properly and they're saying: Why are we doing this, if  
2 we are not doing it right, why do it; and if we are  
3 going to do it, let's put in place the mechanism so  
4 that it is done right.

5 MS. BLASTORAH: And you did file with the  
6 Board a copy of Schedule B to -- I believe it was a  
7 standard form tree planting contract?

8 MR. HAMPTON: That's right.

9 MS. BLASTORAH: And in fact you read out  
10 a number of the specific requirements as to where trees  
11 can and can't be planted--

12 MR. HAMPTON: And how they should, yes.

13 MS. BLASTORAH: --and so on. I take it  
14 that you would agree those conditions are in there to  
15 ensure that trees are not planted on inappropriate  
16 micro-sites; in other words, you're not trying to plant  
17 seedlings on bare bedrock or on rotten logs or some  
18 place like that where they might not survive?

19 MR. HAMPTON: There's a long list there,  
20 that's right.

21 MS. BLASTORAH: Right. And that would be  
22 the reason for having those requirements in there.

23 And would you agree to simply look at the  
24 number of trees divided up into sort of an average  
25 number of trees per hour might not be appropriate given

1       that there are those different kinds of site conditions  
2       out there and that some site conditions might be more  
3       favourable planted and then you would have other  
4       situations, such as the ones describe in the contract,  
5       where things might go a little slower and that it is  
6       not really representative to just look at straight  
7       numbers per hour in that sense?

8                   MR. HAMPTON: That's exactly their point,  
9       that we shouldn't be looking at straight numbers of how  
10      many tree go in the ground.

11                   MS. BLASTORAH: Okay.

12                   MR. HAMPTON: That's exactly their point,  
13      that we have evolved into a numbers game where the  
14      measure of success is how many tree did we plant last  
15      last or how many trees did we plant this summer, and  
16      they are saying that number is by and large  
17      meaningless.

18                   How many trees were planted is, by and  
19      large, meaningless because the conditions under which  
20      they're planted may be very difficult, the rate at  
21      which somebody is planting them may be too fast, and so  
22      let's get out of this numbers game. Let's start  
23      looking at quality, let's start looking at the level of  
24      supervision and so on.

25                   MS. BLASTORAH: And perhaps I could just

1 ask you one more question on that. The Board has heard  
2 a lot of evidence with regard to monitoring of various  
3 things, and specifically there was a fair bit of  
4 evidence I think in relation to monitoring of tree  
5 planting contractors and tree planting activities.

6 Have you had an opportunity to review  
7 that evidence in detail?

8 MR. HAMPTON: I haven't personally. I  
9 have two people who work on my staff, one is a  
10 volunteer and one works in my office, who spent a great  
11 deal of time reviewing as much as evidence as we could  
12 get through from the voluminous reports of evidence  
13 that have come from this Board.

14 MS. BLASTORAH: So you're not  
15 particularly familiar with that evidence, as to what  
16 levels of monitoring may actually be carried out based  
17 on the evidence presented before the Board?

18 MR. HAMPTON: I'm aware of the levels of  
19 monitoring, for example, in the Atikokan District, the  
20 Fort Frances District. I'm aware of -- it's mainly  
21 anecdotal evidence which I've asked people to give me  
22 written submissions on that I could use, and by and  
23 large my information is there are a lot of forest techs  
24 out there, at least in northwestern Ontario, who feel  
25 that the level of supervision and the level of

1 monitoring isn't what it should be.

2 MS. BLASTORAH: I think that I won't take  
3 anymore of the Board's time, Madam Chair. I think  
4 Those are all the matters I needed to deal with.

5 MADAM CHAIR: Thank you, Ms. Blastorah.  
6 Mr. Freidin?

7 MR. FREIDIN: I thought we would return  
8 these and advise you that the first five photographs  
9 don't have any indication of where they are from, so  
10 for the purposes of your record keeping perhaps that  
11 should be clarified maybe during the break with Ms.  
12 Devaul and Mr. Hampton.

13 MADAM CHAIR: Thank you.

14 Mr. Hampton, did you have any other  
15 written material you wished to leave with the Board?

16 MR. HAMPTON: No, but I can -- not at  
17 this time but I could probably later on today or  
18 tomorrow.

19 MADAM CHAIR: All right, thank you. And  
20 you will provide better identification of these  
21 photographs.

22 MR. HAMPTON: Yes, I will. I think I can  
23 give you probably the exact location on the road where  
24 they are from. I might not be able to do that today,  
25 but given a couple of days I think I could give you the



1 exact location.

2 MADAM CHAIR: All right. If you could  
3 speak to Ms. Devaul about that.

4 MR. HAMPTON: Sure, that's fine.

5 MADAM CHAIR: Thank you very much.

6 MR. HANNA: Madam Chair, just if I could  
7 just for a moment. It might be a good idea to have on  
8 the record just the number of photos in each one - we  
9 in the past had given it A, B, C type numbers - just so  
10 that we have some record of the number of photos that  
11 are contained in each one of the exhibits.

12 MADAM CHAIR: In Exhibit 1171 there are  
13 11 photos and this is of the Sedgewick Lake Road, and  
14 in Exhibit 1170 there are four photos.

15 Mr. Cassidy, you have a few questions for  
16 Mr. Hampton?

17 MR. CASSIDY: Mr. Hampton, what is the  
18 primary species that the timber resource in Minnesota  
19 is managed for?

20 MR. HAMPTON: The primary species that  
21 they're managed for?

22 MR. CASSIDY: Yes.

23 MR. HAMPTON: I believe it's spruce, at  
24 least in northern Minnesota.

25 MR. CASSIDY: My information, sir, is

1       that is poplar and that comes from a professional  
2       forester. Are you in a position to disagree with that?

3               MR. HAMPTON: I should say to you that  
4       the area that I'm most familiar with is the area  
5       immediately south of here. I understood it was spruce  
6       in that area, in other areas it may be something else.

7               MR. CASSIDY: My information is that it  
8       is poplar, sir. Are you aware that the predominant  
9       species managed for in this part of the area of the  
10      undertaking is jack pine?

11              MR. HAMPTON: No, I'm not.

12              MR. CASSIDY: And do you agree that the  
13      choice of silvicultural system depends to a significant  
14      extent on the species that you are managing for?

15              MR. HAMPTON: Yes, that's what I've been  
16      told.

17              MR. CASSIDY: Thank you. With respect to  
18      your evidence regarding winter roads, I believe your  
19      evidence was that winter roads are sometimes chosen and  
20      may in fact, therefore, impair regeneration efforts.

21              I take it you are aware that it is not  
22      uncommon that winter roads are chosen as a decision to  
23      protect other resource values such as remoteness--

24              MR. HAMPTON: That's right.

25              MR. CASSIDY: --are you aware of that,

1 sir?

2 MR. HAMPTON: Yes, I am aware of that.

3 MR. CASSIDY: Thank you, sir. Those are  
4 my questions.

5 MADAM CHAIR: Thank up very much, Mr.  
6 Cassidy.

7 Are there any other questions for Mr.  
8 Hampton.

9 (no response)

10 MADAM CHAIR: All right. Thank you very  
11 much, Mr. Hampton.

12 MR. HAMPTON: Thank you very much.

13 MADAM CHAIR: Mr. Martel and I are just  
14 discussing the schedule. The next two presenters we  
15 have each think that it will take about 30 minutes for  
16 their presentation and we have to be back at two  
17 o'clock to start the afternoon session.

18 Why don't we proceed with one of the  
19 presentations this morning. I see that Mr. Kim Ginter  
20 is the third person to hear from this morning.

21 Mr. Ginter is with the Canadian  
22 Paperworkers Union.

23 MR. GINTER: Do you want me to be sworn  
24 in?

25 MADAM CHAIR: Yes, please, Mr. Ginter.

1                   KIM GINTER, Sworn

2                   MR. GINTER: My name is Kim Ginter. I  
3 work for Canadian Pacific Forest Products as a logger  
4 up in the Dryden division and I am also President of  
5 Local 324 for the Canadian Paperworkers Union.

6                   The Canadian Paperworkers Union welcomes  
7 this opportunity to appear before the Board. Although  
8 our work is usually in the bush and in the mill or  
9 around the bargaining table, we have an active interest  
10 in the future health of our forest environment. Just  
11 like last month we presented a detailed brief to the  
12 federal parliamentary committee looking into Ottawa's  
13 new forest ministry.

14                  Our Union represents 23,000 workers in  
15 Ontario's forest industry. We believe that the  
16 perspective of those of us who actually work in the  
17 woods will help to shed some light on the piles of  
18 documents that we understand have already been  
19 submitted to the Board.

20                  We would like to begin by describing our  
21 work so that you can understand the standards under  
22 which we work. Our members live and work in northern  
23 community, our earnings support businesses in those  
24 communities and our taxes support the municipalities  
25 themselves. We are all dependent on a healthy forest,



1       so we have a big stake in making sure that it is  
2       managed in a suitable way.

3               Today we would like to address the basic  
4       issue: How wood work is organized. By this we mean  
5       the actual day-to-day operations of logging, who does  
6       what, whose responsible to whom. We would like to deal  
7       with two ways that a timber harvest is carried out by  
8       Unionized workers employed by a company holding a  
9       licence to cut on Crown land, for example, under a  
10      forest management agreement, by unorganized workers  
11      employed by contractors or subcontractors.

12             In our experience, the practice on  
13      contracting out wood labour deletes and even removes  
14      the responsibilities of the forest products companies  
15      to maintain a healthy forest environment for the  
16      future. Some people might try us of being biased in  
17      favour of Union work, they would be right. We are  
18      firmly convinced that having reliable well-paid work  
19      and well-defined lines of responsibility is the best  
20      thing for workers and for the forest environment.

21             The social environment, one way. I work  
22      for a company, Canadian Pacific Forest Products, that  
23      oversees all the operations on its limit. My  
24      co-workers and I are employed directly by CP and  
25      represented by CPU. There are at least two foremen in

1 every camp and it is their responsibility to make sure  
2 that the rules set down by the government are obeyed;  
3 for instance, we have to be aware of the need to  
4 provide -- leave strips around lakes and boundaries and  
5 moose pastures, we also have to make sure that seed  
6 blocks for regeneration are left in proper places when  
7 the management plan calls for them and, of course,  
8 there is a need for the proper harvesting of all wood.

9 Under this method of work organization,  
10 it is easy for the employer holding a cutting licence  
11 to check that the cut-over area is free of trees on the  
12 grown and ready to be scarified. Staff at camp can  
13 check all crews at least twice daily to make sure that  
14 they are doing their jobs safely and properly.

15 Foresters employed by the license holders  
16 set up the cut areas and try to make sure that erosion  
17 does as little damage as possible to the soil or the  
18 lakes. This is not to say that there are never any  
19 problems, but it does mean that this is the best type  
20 of organization to ensure that problems are kept to a  
21 minimum. When we are getting ready to move camp, all  
22 the garbage is hauled to the town dump and all used  
23 oils is hauled to town and properly stored.

24 All CPU members employed in bush work  
25 bring home a good income year in and year out. The

1 unionized logger here in northwestern usually makes  
2 between \$175 and \$250 a day working six and a half  
3 hours or seven hours per day. There is no batching or  
4 shacking on the limits where we have contracts. Our  
5 members are not transient and we have established  
6 ourselves in what we hope would be lasting communities.  
7 If all bush work was carried out in this way, we  
8 believe there would be far less raping of the land and  
9 taking advantage of the wood workers.

10 The social environment, the other way.  
11 On the Boise Cascade limits, forest operations are  
12 contracted and subcontracted. The situation can only  
13 be described as being out of hand. We are not saying  
14 that one company is better than another, we are saying  
15 one company manages its labour and its timber  
16 differently. The point is that the way a company  
17 treats its labour has a viable effect on the way the  
18 forest environment is treated. Our company exercise  
19 some responsibility in utilization and regeneration,  
20 the other neglects them.

21 The Boise Cascade limits are logged by  
22 what we call independent operators. These workers put  
23 in long hours and shoulder a heavy risk associated with  
24 high levels of death. There is little job security,  
25 the bank wants monthly payments for equipment.

1 Management sets the rate for the job and can give some  
2 operators good timber and others bad timber.

3 Advantages for the forest products company are obvious,  
4 they can keep their costs of wood down and we all know  
5 that for the forest industry that the forest is a cost  
6 production, not a resource to be carefully managed.

7 As a Vice-President of Normick, Perron  
8 Tolan industrial magazine several years back, I would  
9 like to see our woodland a hundred per cent owner/  
10 operator. We get higher production per hour and if we  
11 have to shut down, as we did last year, we won't lose  
12 on ammortization of the machines. This is the same  
13 logic that drove Boise Cascade to move to  
14 owner/operators over ten years ago.

15 Two case studies. Contractor A has his  
16 own skidder and works for a contractor who supplies  
17 pulpwood to CP Forest Products and Abitibi-Price. The  
18 contractor has been assigned bad timber, so the  
19 subcontractor has to work longer and harder to get the  
20 same volume and the same money had he had good timber.

21 Pulp and Paper Canada, April 1978. These  
22 case studies were conducted four years ago for the CPU  
23 under the supervision of Dr. Randall Nelson, Department  
24 of Sociology, Lakehead University. The names of the  
25 contract loggers have been changed to protect their



1 vulnerable positions. Though the data may have  
2 changed, the basic situation of owner/operators remains  
3 the same.

4 On the surface he is not doing too badly,  
5 annual expenses including skidder payments, fuel and  
6 maintenance, safety gear came to \$73,000. On the other  
7 hand, his gross income for logging was roughly \$31,500.  
8 This gave him a net income before taxes of \$24,200.  
9 Since he worked 170 to 190 eleven or twelve-hour days,  
10 his hourly rate was 11.20 or 12.50; however, to  
11 maintain this rate he had to avoid insurance cost,  
12 insurance on the skidder would have been \$2,000 to  
13 \$2,500. This would have reduced his hourly rate, so he  
14 exposed himself to further risk to keep his wages up.

15 Since the skidder is ten year old,  
16 maintenance expenses can easily skyrocket, especially  
17 if his transmission goes. Independent operators like  
18 this are basically small businessmen. Good management  
19 practices would mean that some of this year's profits  
20 would be set aside to cover future maintenance, but  
21 such an investment would mean a cut in take home pay.  
22 The risk is all his.

23 Contributor B is an owner/operator  
24 working near Atikokan. On the surface he deals with a  
25 lot of money, his gross income was \$129,000 and he

1       employed a cutter while operating the skidder himself,  
2       but expenses were also high, \$83,0700, including  
3       insurance, compensation, maintenance, fuel and parts.  
4       He and his employee worked on an eight-hour day, but  
5       travelling time of an hour and a half each way makes  
6       this eleven hours. This reduces the cutter's wage from  
7       just under \$20 per hour to below \$14.

8                 Hourly rated cutters in the same area are  
9       paid their hourly rage for all commuting time except  
10      the first 30 minutes each way. For contractor B  
11      himself, additional of the travel time, gave himself  
12      roughly \$17 per hour. This did not seem too bad, but  
13      appearances can be deceiving. There is a big pressure  
14      to work all day, even day-to-day going. You work 50  
15      out of 52 weeks, including nearly two months working on  
16      maintenance and repairs of machinery. At the end of  
17      the year he took an hourly rated job as a foreman for  
18      another contractor.

19                The minute you buy a piece of equipment  
20      you're married to it, he says, and the minute an  
21      owner/operator buys that machine his pogeys is void, he  
22      sits there for three months drawing sweet nothing with  
23      his machine torn apart, rebuilding it so it's ready for  
24      the next season. He hopes he's got enough moose meat  
25      to make it through 'til then. All the good wood in the

1 country has been cut, that puts you at a disadvantage  
2 right away. I think I can speak for about 99 per cent  
3 of the owner/operators and there just isn't a dollar  
4 there.

5 Contractor B has all the skills necessary  
6 to be an independent operator. He can operate a  
7 skidder, fix his own equipment, access his stand of  
8 timber, do the books, but he opted for an hourly-rated  
9 job.

10 The natural environment. We have gone  
11 into the question of contracting out logging operation  
12 on Crown lands, the social environment, because we  
13 believe this has serious effects in the way the forest  
14 environment is treated firstly, and mostly so-called  
15 independent operators are under constant pressure to  
16 produce wood at the landing. They have to work fast in  
17 order to make payments and have enough left over for a  
18 living wage. Naturally how they log is not important  
19 because they simply cannot afford to take the necessary  
20 care to avoid skidding through streams to leave advance  
21 growth or to pay close attention to sensitive areas of  
22 wildlife habitat or moose yards.

23 Owner/operators on Boise Cascade limits  
24 usually change their oil on the landing draining the  
25 waste oil into the ground where it is sand or clay. We

1 do all our maintenace at a special woodlands garage.  
2 Logging sites are littered and abandoned oil cans, old  
3 oil main lines and chokers and other garbage.

4 Then there is a question of waste. On  
5 the limits where I work we make every effort to make  
6 sure that we use as much of the timber as we can, but  
7 contractors on the Boise Cascade limits frequently  
8 leave a lot of jack pine that is rotten in the mill or  
9 dead at the top. They do this for the simple reason  
10 that the company will not accept this kind of wood, so  
11 it gets left behind.

12 Secondly, we believe that the adequate  
13 training of loggers is more difficult in a system made  
14 up of forest companies that hold actual Crown licences;  
15 contractors, subcontractors and even contractors  
16 employees. As trade unions involved in one of  
17 Ontario's most dangerous occupations, we feel that the  
18 lack of training and pressure to produce makes woodwork  
19 that much more dangerous. People will cut corners and  
20 that is a simple fact of life. It also makes it less  
21 likely that loggers would be aware of the need to work  
22 in such a way that the growth of the new forest is  
23 encouraged rather than discouraged.

24 Subcontracting makes the work more  
25 dangerous, it also makes it more likely that the forest



1 will be degraded rather than preserved. We believe  
2 that the Board should address the question of training  
3 woodworkers so that they can gain a better knowledge  
4 and understanding of forest environment and the way  
5 they work can either damage or improve the environment.  
6 The C.P.U. would strongly support such training  
7 programs which should be funded by the licence holder.

8 Thirdly, whenever a job is contracted by  
9 a forest company holding a Crown licence and then  
10 perhaps subcontracted, the lines of responsibility  
11 become blurred. With subcontracting independents  
12 working out of eight or nine camps it makes it very  
13 difficult for foresters and forest technicians to  
14 monitor what is going on.

15 We assume that the chronic lack of  
16 Ministry of Natural Resources field staff and the use  
17 of inexperienced MNR people is part of this problem of  
18 lack of supervision of private operators on public  
19 land, but add to that a confusing system of authority.  
20 We have at least three and sometimes five levels of  
21 responsibility in the bush, who is accountable to whom?  
22 The C.P.U. believes that the question of the  
23 organization of work cannot be separated from the  
24 environmental issue that the Board is addressing.

25 I have also a newspaper clipping here

1       that Mr. Hampton was talking about, and this just come  
2       out the other day in Red Lake, and I would just like to  
3       read it, what is happening up there, and I haven't  
4       talked to the people personally but I will read it to  
5       you anyway:

6               "Steve Shiels from Toronto and Linda  
7               Shapiro from Windsor told the District  
8               News Monday that they were dumped  
9               Unceremoniously in Red Lake Saturday  
10              night at 5:30 tree planter contractor  
11              Alan Thompson.

12             In an interview Steve and Linda said that  
13             they had been recruited in Toronto with  
14             Promises of \$6,000 for the summer's work  
15             or upwards of a hundred dollars a day.

16             Both tree planters said that they had  
17             been brought up to the north from Toronto  
18             in a rickety 13-year-old school bus, that  
19             the proposed one-day trip had turned into  
20             five days, including an accident on  
21             route, and all the time the planters were  
22             required to pay their own expenses.

23             Once the pair arrived there, they weren't  
24             able to plant for a few days because of a  
25             snow and at the time they had found out

1           that they were being charged \$18 a day  
2           for boarding costs.

3           Although they had been promised food and  
4           showers, both workers agreed they were  
5           given no showers and charged for every  
6           bit of food they got.

7           They said most of the fellow planters  
8           were in the same boat, they had all run  
9           out of money, and they were told by Mr.  
10          Thomson that they would not be receiving  
11          any pay checks until three weeks after  
12          the work was finished.

13          Mr. Shiels said a bunch more people have  
14          joined up with the group, but I think a  
15          lot of them will leave too. I was told  
16          that if anybody quit they would be  
17          Penalized one cent per tree. Both  
18          planters indicated they couldn't  
19          understand how the government could allow  
20          this sort of thing to go on.

21          Mr. Shiels and Mrs. Shapiro had received  
22          a small amount of money from welfare to  
23          enable them to eat and were visiting the  
24          Red Lake Welfare Office Monday afternoon  
25          in an attempt to get a bus fare to go

1 back home.

2 When contacted by the District News,  
3 spokesman for the district MNR office  
4 said that it was not really their problem  
5 and suggested we contact the regional  
6 office in Kenora who told us that it was  
7 an issue for Boise Cascade not MNR  
8 because the area involved was under a  
9 forest management agreement with Boise.  
10 To check this story out just prior to  
11 press time, we were able to contact Alan  
12 Thomson who said the two planters asked  
13 to leave and go to town.

14 He denied that the two were treated any  
15 different than anyone else in the  
16 industry and instead that those two  
17 planters just did not want to work.  
18 He invited anyone to come out and look at  
19 his camp. I gave these people a break  
20 where others wouldn't.

21 Mr. Thomson did agree that his planters  
22 were not paid nor were they going to be  
23 paid until several weeks after the  
24 contract was over. He further agreed  
25 that he kept an account for each planter



1 and bought them food and equipment which  
2 he deducted prior to settlement, again  
3 saying it's the standard of the industry.  
4 As of writing of this story and  
5 considering the two conflicting views,  
6 the jury seems to still be out."

7 What I am saying is, on the Canadian  
8 Pacific's wood limits this isn't a standard under which  
9 the tree planters go. They are not charged \$18 a day  
10 they are charged \$1.75 and if they do quit they don't  
11 take any money back from them.

12 MADAM CHAIR: Thank you, very much, Mr.  
13 Ginter.

14 Will you give the Board a copy of the  
15 newspaper article, and we will make that an exhibit.  
16 Exhibit No. 1173.

17 ---EXHIBIT NO. 1173: Newspaper article from District  
18 News, May 16, 1990.

19 MADAM CHAIR: And which newspaper is that  
20 Mr. Ginter?

21 MR. GINTER: District Times -- the  
22 District News serving, it says, Red Lake, Ear Falls,  
23 Balmertown, Cochenour, Madsen, McKenzie Island, and  
24 Starratt-Olsen.

25 MADAM CHAIR: Thank you. And the date of

1       that was...?

2                       MR. GINTER: - May 16th.

3                       MADAM CHAIR: Thank you.

4                       And do you wish to leave anything else in  
5 written form?

6                       MR. GINTER: I will also leave a copy of  
7 what I read here.

8                       MADAM CHAIR: All right.

9                       MR. CASSIDY: Could copies of that be  
10 made available, Madam Chair, of what this witness has  
11 just given?

12                      One of the difficulties we find ourselves  
13 in in hearings of this nature, in the satellite  
14 context, that it is impossible to comment or even  
15 respond to so many things that are said within the time  
16 frame that is allotted, and it's only upon further  
17 investigation that we get an opportunity to find out  
18 what some of the real story is.

19                      And so I would ask for a copy of what  
20 this witness has said, so I could do just that.

21                      MADAM CHAIR: Would it be agreeable to  
22 you, Mr. Ginter, you were planning to come back after  
23 lunch?

24                      MR. GINTER: Yes.

25                      MADAM CHAIR: Would it be agreeable to

1       you if we had a lunch break now, in the meantime we  
2       would take your submission and have copies made  
3       available for anyone who wants to see a copy.

4               MR. GINTER: I have a few copies with me.

5               MADAM CHAIR: All right. That would be  
6       helpful, and then when we come back there may be a few  
7       questions people want to put to you, and then we will  
8       move on to Mr. Georgeson's submission.

9               All right.

10              MR. HANNA: Madam Chair, there were two  
11       questions to Mr. Seppala and Mr. Start. I don't know  
12       what their plans are, I just bring it to your  
13       attention.

14              MADAM CHAIR: Mr. Seppala and Mr. Start.  
15       Are you returning this afternoon as well?

16              MR. SEPPALA: Yes, I am.

17              MADAM CHAIR: All right. Thank you very  
18       much.

19              We will adjourn now. It's 12:30 and we  
20       will resume at two o'clock.

21              Thank you. Very much.

22       ---Luncheon recess at 12:30 p.m.

23       ---On resuming at 2:00 p.m.

24              MADAM CHAIR: Good afternoon, ladies and  
25       gentlemen. Please be seated.

1 Welcome to the fourth session of the  
2 Timber Management Hearing in Fort Frances. I won't go  
3 through the introduction that I gave this morning other  
4 than to introduce my colleague, Mr. Elie Martel, and I  
5 am Anne Koven.

6 We are members of the Environmental  
7 Assessment Board and charged with conducting this  
8 hearing. The evidence has been going on for two years  
9 now, mostly in Thunder Bay, and we are getting out to  
10 communities around the north. We will be making 14  
11 visits to communities and holding sessions like this.

12 The rules of this hearing are very  
13 simple. Anyone can make a presentation to the Board  
14 and in fact we are in the middle of a presentation that  
15 was started this morning. We ask that you be sworn in,  
16 if you are comfortable doing that. Anyone in the  
17 audience may ask questions of someone who is making a  
18 presentation to the Board.

19 There are various people here from  
20 full-time parties who follow our hearing in Thunder Bay  
21 and now that we are back in Toronto, and they can  
22 identify themselves if they want to ask questions when  
23 they stand up.

24 If you have any questions about the  
25 Environmental Assessment Board or the environmental



1 assessment process you can speak to our staff, Michele  
2 Devaul and Trudy Taylor who are standing by the door.

3 And I think we will continue where we  
4 left off, Mr. Ginter. In fact, this afternoon we have  
5 a fairly long list of people who will be making  
6 presentations. If we don't cover -- I think the  
7 session is scheduled from two until five. We will see  
8 how we are doing at five o'clock, and we may have to  
9 come back this evening. We won't change the schedule  
10 though until we see how we are doing later in the day.

11 We left off this morning with Mr. Ginter  
12 who had given us a written presentation that was  
13 distributed at the lunch hour and copies are here if  
14 someone wants one. And Mr. Ginter also gave us a copy  
15 of a newspaper article that he read as part of his  
16 presentation.

17 And I am now going to open the floor to  
18 questions. If anyone has questions about what Mr.  
19 Ginter has said, please identify yourself. I see  
20 that -- yes, Mr. Seppala?

21 MR. SEPPALA: Madam Chair, Mr. Ginter is  
22 it?

23 MR. GINTER: Yes.

24 MR. SEPPALA: My name is Bruno Seppala  
25 and I know you mentioned about employee-owned equipment

1 and I don't know whether you are aware of the evolution  
2 of how the employee owned equipment took place on the  
3 O&M limits and are you -- you want to hear.

4 MR. GINTER: No, I'm aware of it.

5 MR. SEPPALA: Do you know that it started  
6 at L309 where the farmer cutters came in and used their  
7 own little tractors to handle that big poplar, that is  
8 where it started.

9 It expanded from there to elsewhere  
10 within the company operation, and do you know how -  
11 during the negotiations, and I wasn't involved in these  
12 directly, but do you know how the company managed to  
13 repaying those employee-owned tractors or whatever  
14 whereas the others did not; are you aware of the  
15 circumstances of that?

16 MR. GINTER: Not all of them, but of some  
17 of them.

18 MR. SEPPALA: Well, my understanding was  
19 that when the people were negotiating a labour  
20 agreement - and it was some time prior to '56 because I  
21 wasn't involved in those things at that time - but the  
22 union hiarchy were requesting or it was a demand that  
23 all the employee-owned equipment be done away with.  
24 The only reason that the company maintained it was  
25 because about 60 or 80 of those people went to the

1 union hiarchy and said we want to retain them, and that  
2 is why the employee-owned equipment was retained by the  
3 company; whereas the other companies weren't able to do  
4 so.

5 I just wanted to put that out. What  
6 happened after that, I wasn't here anymore, but it was  
7 kind of a mixed up affair, to say the least, but I  
8 thought I would give that information to the Board as  
9 well as yourself.

10 MR. GINTER: Thank you.

11 MADAM CHAIR: Thank you, Mr. Seppala.

12 MR. CASSIDY: Madam Chair?

13 MADAM CHAIR: Mr. Cassidy?

14 MR. CASSIDY: I don't have a question,  
15 however I would like to advise the Board --

16 MADAM CHAIR: Would you like to represent  
17 your clients, Mr. Cassidy? I didn't introduce you.  
18 Would you like to identify them?

19 MR. CASSIDY: Oh, certainly. I am Paul  
20 Cassidy and I'm appearing on behalf of the Ontario  
21 Forest Industry Association and the Ontario Lumber  
22 Manufacturers Association, and we have had the  
23 opportunity over the lunch break, Madam Chair, to have  
24 reviewed the written text of the submission given this  
25 morning by Mr. Ginter, and on behalf of Boise Cascade

1 Canada I can indicate that we disagree with it.

2 However, these matters are presently  
3 pending before the Ontario Labour Relations Board in a  
4 proceeding brought by the C.P.U. to certify the union  
5 as bargaining agent for Woodlands workers on Boise's  
6 FMAs. We, therefore, think it inappropriate to comment  
7 on those matters in this forum.

8 MADAM CHAIR: Thank you, Mr. Cassidy.  
9 Any other comments about Mr. Ginter's presentation?

10 (no response)

11 All right, fine. Thank you very much,  
12 Mr. Ginter.

13 Before we move to Mr. Georgeson's  
14 presentation, there were two matters I wanted to deal  
15 with from this morning. The first is that we left open  
16 an Exhibit No. 1169 for Mr. Greg Hlady's written  
17 submission that was given to us last night, in case  
18 there has been some confusion in the numbering of the  
19 exhibits. He gave it to us at the end of the session,  
20 so you won't have a copy, but it's available now.

21 And the second matter is that both Mr.  
22 Bruno Seppala and Mr. Don Start made presentations to  
23 us last evening here, and something that they said to  
24 us we wanted clarification about.

25 If you could come forward, gentlemen, we



1 would -- well, stay there and I will tell you what our  
2 question is and you can decide if both of you wish to  
3 answer it; and, that is, you brought up -- you made  
4 reference to the situation where companies would put  
5 money into a trust fund of sorts and you referred to  
6 the Repap case in Manitoba, and this money would be  
7 used to fund regeneration work.

8           The money that would go into this fund I  
9 understand for the first year would come from the  
10 companies and it is your view that in subsequent years  
11 the money would also come from companies, and would it  
12 be on top of the taxation that is now levied against  
13 companies, including stumpage charges, or would it be  
14 an additional amount that would be required from  
15 Industry to fund this arrangement?

16           MR. SEPPALA: Well, in the case of the  
17 Repap agreement where it goes into a trust fund  
18 maintained by a trust company, the company puts money  
19 in it each year, the amount times the cords it  
20 produces, and it's replenished each year, it's used  
21 each year.

22           It's in addition to the stumpage charge,  
23 in addition to the forest protection charge and, of  
24 course, in addition to all the other taxes that it  
25 pays.

1                   MADAM CHAIR: All right, good. That is  
2 what we were looking for. Thank you very much, Mr.  
3 Seppala.

4                   MR. SEPPALA: You are welcome.

5                   MADAM CHAIR: We will now call on Mr.  
6 Keith Georgeson.

7                   KEITH GEORGESON, Sworn

8                   MADAM CHAIR: Thank you very much.

9                   MR. GEORGESON: I am a logging contractor  
10 for Boise Cascade and I also have a licence on the  
11 Crown timber management, and I'm not much good as a  
12 talker, but they say there's talkers and doers, and I  
13 think I'm a doer, so we will do our best here.

14                   Mrs. Buffington, yesterday she mentioned  
15 that people are afraid to speak up because of certain  
16 outfit like Boise, we may be afraid to speak out, but I  
17 think Boise classes me as quite arrogant and outspoken  
18 and when I have something to say it doesn't matter who  
19 I say it to, I do -- I say my piece, let's put it that  
20 way, so...

21                   I have got a little bit of background  
22 here. My family has been in the logging business for  
23 over 50 years. My father first -- was one of the first  
24 pulpwood contractors. At this time there was very  
25 little technology in this area. Logging consisted of

1 swing saws, a few power saws, horses, farm tractors for  
2 transporting, hauling to the mill with single-axel  
3 trucks carrying four cords of wood.

4 My career in the logging began when I was  
5 about 12 years old. One of my first jobs was attending  
6 horses at the bush camp. As I grew older my father  
7 allowed me to work in the harvesting of timber. His  
8 contract grew to about 5,000 cords. Within a few years  
9 a drastic change occurred, technology was introduced  
10 and the horses disappeared. By the time I was 18 my  
11 mother wanted me to go to university, but since I had  
12 logging in my blood I continued working in the bush.

13 Our company has developed a great deal  
14 and now we are producing between 35 and 40,000 cords  
15 per year, employing about 20 people, running  
16 approximately \$3-million worth of mechanized equipment.  
17 I am proud to be a logger in this area.

18 I would like to respond on a few things  
19 that I have heard previously at the hearing that seem  
20 to be all one sided to me. Mr. Quince referred to no  
21 regrowth on bald rocks and I ask if there was any trees  
22 growing on bald rocks in the first place?

23 It has been my experience to cut areas of  
24 overmature timber running five to 10 cords to the acre,  
25 spruce budworm areas also five to 10 cords to the acre,

1 and when the reforestation sets in it will be producing  
2 hopefully 25 cords to the acre. I also harvested  
3 40,000 cords of total blowdown which would be either  
4 burnt or rotted by now.

5 We are not here to devastate the forest  
6 as some people indicate. Mr. Hampton, he is totally  
7 misled in the area of utilization and mechanical  
8 logging. The Sedgewick Lake Road is a Buchanan  
9 operation and we hear all kinds of stories about his  
10 operations. Our utilization of merchantable timber is  
11 one hundred per cent. The odd four-foot stick is left  
12 behind because of the safety aspect of hauling of the  
13 pulpwood.

14 Mechanical logging utilization utilizes  
15 more timber than cut-and-skid crews do, it also cuts --  
16 it also cut wood cutters who refuse to cut rougher  
17 country than cut-and-skid crews do.

18 As far as accidents go, in 1979 to 1984  
19 we averaged two to three lost time accidents yearly.  
20 In 1984 we had eight lost time accidents. We went  
21 mechanically totally in 1984. From 1984 to 1990 we  
22 have only had one lost time accident.

23 Concerning Mr. Start's and Mr. Seppala's  
24 comments on reforestation, I totally agree. On our  
25 Crown timber licence in the Atikokan region funding is



1 not available for summer road access, therefore, we  
2 winter log; as a result, there is no scarification or  
3 reforestation in some of these areas.

4 The political power of Buchanan directs  
5 the available monies to his area not to the Atikokan  
6 district where it is totally needed. I would like to  
7 see enough funding in the system to reforest areas that  
8 have never been logged, where just a few broadleaf  
9 trees are growing. As broadleaf trees grow like a  
10 weed, spruce and broadleaf regenerate mostly on their  
11 own or can be regenerated on their own, jack pine as  
12 such should be replanted.

13 Another concern of mine lies with the  
14 Ministry of Natural Resources, that they do not harvest  
15 more than is replanted and there is enough merchantable  
16 timber for at least a 70-year cycle.

17 A brief comment towards the Angler &  
18 Hunters Association. I do not feel that they have any  
19 complaints about the logging in this area. An  
20 important issue is the stream crossing in which we are  
21 all attending seminars on proper installation. We also  
22 access some lakes through our road systems. The  
23 hunters invade our harvesting areas in the fall, we do  
24 not post of any of these areas as contractors so that  
25 we will not irritate the hunters about

1 non-accessibility.

2 Now, towards the camp owners and  
3 outfitters, I feel total sympathy. It is their  
4 livelihood to keep accessibility to a minimum, but it  
5 is also our livelihood to log. Somehow or other we  
6 should have more communication. If there is a  
7 sensitive lake that we are close to, the accessibility  
8 should be totally destroyed after reforestation has  
9 taken place. I think I speak for all the loggers in  
10 this area, that we love this area, that we are not here  
11 to destroy, and we will strive to reserve the  
12 environment with all the powers invested in us.

13 Thank you.

14 MADAM CHAIR: Thank you very much, Mr.  
15 Georgeson.

16 Does anyone have any questions for Mr.  
17 Georgeson?

18 MR. MARTEL: Mr. Georgeson, you indicated  
19 your accident rate is down significantly?

20 MR. GEORGESON: Yes.

21 MR. MARTEL: But the Government of  
22 Ontario in 19 -- or the Workman's Compensation Board,  
23 pardon me, not the Government of Ontario, the Workman's  
24 Compensation Board in 1988 struck a committee headed up  
25 by Mr. Waddell and Mr. Pilkey to look into the accident

1 rate in the forest industry as it was, if not the  
2 highest, probably the second highest in the province.  
3 I believe those figures are correct - I could be  
4 wrong - one of the two, either forestry or agriculture  
5 were leading the pack.

6 In your own area, because of the  
7 mechanization, you have been able to reduce your  
8 accident rate, but in the forest industry as a whole  
9 how do you account for the WCB establishing a committee  
10 if the accident rates have declined so substantially?

11 MR. GEORGESON: Well, on the cut-and-skid  
12 crews when we went totally mechanical - and I am just  
13 not speaking for myself, this is across the whole  
14 board - I would say that the accident rate for sure has  
15 gone at least down 50 per cent.

16 I am just going by reference to when  
17 Boise ran their own outfit. We had at least 25 per  
18 cent less accidents than what there were before. Like,  
19 I don't think there is a contractor in this area that  
20 has gone totally mechanical that does not have a better  
21 accident rate.

22 And the Workers Compensation is a misused  
23 system totally, and we've had -- I've gone I bet you to  
24 a hundred meetings with the Workmans Compensation over  
25 there, it's a system that's run -- it's bureaucratic,

1       it's totally abused, there is total abuse. We went to  
2       subcontractors, there is no abuse of the system when  
3       you are gone to subcontractors. We had all employees,  
4       they're off on -- the biggest thing, I would say, is  
5       mechanical and lack of abuse, that is the approach  
6       right now.

7                   MR. MARTEL: You are saying the workers  
8       abuse the system?

9                   MR. GEORGESON: Somewhat, yes. I would  
10      say not all, but there is a abuse, but you will get  
11      some of that with every job you are at, I guess. If  
12      you wanted to check, I would think there is people in  
13      the room here that have statistics on the accident  
14      rates since we have gone mechanical, if you needed that  
15      matter, that would help.

16                  MR. HANNA: Madam Chair, if I might ask  
17      one question?

18                  MADAM CHAIR: Mr. Hanna?

19                  MR. HANNA: Mr. Georgeson, I was  
20      interested in your statement about the Anglers &  
21      Hunters having no concerns about logging in the area.  
22      We have heard both a lot of people said a lot of good  
23      things about logging the area and we have heard some  
24      other stories.

25                  I don't want to deal with stories, what I



1 am more interested in is your statement that you  
2 undertake proper stream crossings and that sort of  
3 thing. What I am interested in is the -- I take it  
4 you're a job logger; is that a fair statement?

5 MR. GEORGESON: Yes.

6 MR. HANNA: What training do you receive  
7 from the Ministry of Natural Resources or other  
8 agencies in terms of the guidelines, and how to put  
9 them in place and that sort of thing?

10 Is there a normal sort of like  
11 certification procedure or anything like that that you  
12 have to go through, or how is that information  
13 transferred to you and your workers?

14 MR. GEORGESON: It has not been a great  
15 concern in the present, ever since environment started.  
16 Now, we are going to seminars, as a matter of fact I  
17 have one that -- there is one in Atikokan tomorrow and  
18 I won't be able to attend it, so there is one in Fort  
19 Frances next Thursday that we will be attending that  
20 deals with this same stuff that you are talking about.

21 MR. HANNA: Is there any requirement  
22 though, like in the contract, when you enter the  
23 contract with Boise for example, is there a clause in  
24 the contract that has anything to do with the  
25 understanding of the environmental concerns?

1                   MR. GEORGESON: Yes. We all sign  
2                   contracts, union contracts for Boise and-it-says in  
3                   there we have to abide by all environmental concerns  
4                   and it's quite a lengthy contract.

5                   I think -- personally I am not going to  
6                   go out there and destroy spawning beds because, like,  
7                   this is -- I have lived here all my life and we are not  
8                   out there to destroy. I don't think any of these  
9                   contractors plan on going out there to destroy any of  
10                  the wildlife or any of the fish habitat.

11                 MR. HANNA: I wasn't suggesting you were,  
12                 I just wanted to be clear. It's just more a matter  
13                 that, as you have mentioned, there is some good actors  
14                 and some bad actors - and I am not at all suggesting  
15                 you are a bad actor - it's simply a question of, when  
16                 we have those people we always make our laws for that  
17                 one per cent, the other 99 per cent are law-abiding  
18                 people, we have too make the laws to deal with those 1  
19                 per cent. That was really what I was asking the  
20                 question for, to see if you had a formal procedure  
21                 whereby those things were dealt with.

22                 MR. GEORGESON: I don't. As such right  
23                 now there is no formal procedure, but I know all of us  
24                 as contractors are, like I say, going to these seminars  
25                 to make sure that we do not make any mistakes as such.

1 MR. HANNA: Thank you, Mr. Georgeson.

2 Madam Chair, those are my questions.

3 MADAM CHAIR: All right, thank you.

4 Mr. Georgeson, you made the statement  
5 that you would cut an overmature at five to ten cords  
6 per acre, that would be the volume you would take off?

7 MR. GEORGESON: Yes.

8 MADAM CHAIR: And that you would  
9 regenerate it at 25 cords?

10 MR. GEORGESON: That's what I think the  
11 Ministry and Boise's expectations are, to try and get  
12 it to come back at 25. I would say there are some  
13 areas that are coming back so thick that it could be a  
14 hundred cords an acre. I know the Ministry in Atikokan  
15 and I think also in the Fort Frances division have gone  
16 in on their own and they've sent people to thin it out  
17 by hand which, as far as I'm concerned, was good  
18 because it would never grow to any height unless it was  
19 properly thinned. They have done that I know in the  
20 Flanders and the Wellar Loop Road, they have done some  
21 in there also.

22 MADAM CHAIR: And a second question. In  
23 the discussion this morning between Mr. Brown and Mr.  
24 Hampton, there was a back and forth discussion about  
25 how contracting, as a way of doing business, is

1       effecting the quality of the harvesting that's being  
2       done and the regeneration work.

3               Did you have anything to add to their  
4       comments in terms of the sorts of pressures of  
5       contracting?

6               Mr. Hampton was giving evidence to the  
7       Board that contracting put some, I think he called  
8       them, time pressures in.

9               MR. GEORGESON: Well, in our contract it  
10      says that we have to utilize all of the wood and it  
11      specifies right to the certain size of timber in the  
12      contract. I think it is to do with the Ministry of  
13      Natural Resources, and I am proud to say that you can  
14      walk through my bush any time and we are utilizing at  
15      least 100 per cent of the wood and, like I said, you  
16      would find the odd four-foot stick, but you do not find  
17      any eight-foot sticks on the ground. If there is there  
18      is shit to be raised and I will raise the shit.

19              MADAM CHAIR: All right. Thank you very  
20      much, Mr. Georgeson.

21              MS. BLASTORAH: Madam Chair, I just had  
22      one very short question.

23              MADAM CHAIR: Ms. Blastorah.

24              MS. BLASTORAH: Mr. Georgeson mentioned  
25      that there were two seminars, one this week I believe



1 in Atikokan and one next week in Fort Frances. I was  
2 just wondering if he could tell us who is putting those  
3 on? Are those Ministry seminars or...

4 MR. GEORGESON: Yes, they are Ministry  
5 seminars.

6 MS. BLASTORAH: Thanks you. That was my  
7 only question.

8 MADAM CHAIR: Thank you very much, sir.

9 MR. GEORGESON: Okay. Thank you.

10 MADAM CHAIR: The next person we will  
11 hear from is Elizabeth Klug.

12 ELIZABETH KLUG, Sworn

13 MS. KLUG: Madam Chair, your hearings  
14 here have been going on since May of 1988 and from  
15 reading the transcripts of the evidence, I see that it  
16 is a long and complicated issue and I can't claim to  
17 know a lot about it; however, I am interested in the  
18 future of the logging industry.

19 I am the daughter of the owner/operators  
20 of Big Timber Limited and I will be representing that  
21 company and hopefully other logging companies in north  
22 western Ontario.

23 I would like to talk about two problems  
24 facing the forest industry today and the first one is  
25 the reforestation. I don't have any statistics on this

1 and, as we heard last night, it is hard to get  
2 statistics on this, but common sense would say that we  
3 have been logging for over a hundred years and serious  
4 reforestation has started maybe perhaps within 25 years  
5 or so, so that would say that we are a little bit  
6 behind for whatever reason.

7 I grew up on a farm and I understand the  
8 forestry cycle to be a process. You plant a field and  
9 you wait for it to grow and then you cut it down and  
10 then you plant it again, and here we have a weak part  
11 in our cycle and that is the reforestation being behind  
12 and sooner or later we are going to run into problems  
13 with this. To solve these problems I think it is more  
14 feasible to speed planting instead of stop cutting for  
15 three reasons.

16 The first reason is that the cycle will  
17 continue on. If I planted a field and let it grow and  
18 in the fall decided I didn't really feel like planting  
19 it again and just left it there, that wouldn't do me  
20 much good.

21 The second reason is that you would be  
22 helping versus hurting. If we stop cutting we would be  
23 hurting the people involved in the logging industry,  
24 the cutters and the logging businesses and the truck  
25 drivers. If we speed up the planting, we will be

1 helping. We will be helping our environment and we  
2 will be helping those who we would be hurting if we  
3 stopped the cutting.

4 The third reason is that government funds  
5 would be readily available to speed the planting, I  
6 think. Now is the time when the government and voters  
7 alike are all concerned about preserving our  
8 environment, therefore, I think government funds would  
9 be readily available for speeding up planting.

10 The second problem that I want to talk  
11 about is the attitudes toward forest harvesters. Three  
12 years ago in northern California a mill worker almost  
13 died because someone planted a spike in a large log and  
14 it hit the saw and almost killed him. Radical  
15 environmentalists were blamed for this move.

16 What is happening is that a lot of these  
17 radical environmentalist groups are making up their  
18 mind -- are making up minds of people who don't have  
19 the time or interest to make it up for themselves. I  
20 personally can see this in the comments that people  
21 make to me and these are comments in a region where 75  
22 per cent of the people are directly employed with the  
23 forestry industry and I also see it in our media, on  
24 television, radio and magazines.

25 I have brought along one example with me

1       today here. It is the May 1990 issue of Life Magazine,  
2       which is an American magazine but I think America is  
3       facing the same problem as Canada is now with  
4       reforestation. On the front cover there is a picture  
5       of a lot of trees here and it says:

6                       "The miracle of trees. They give us  
7                       shade, beauty, the area we breath. If we  
8                       let them, they could even save our  
9                       environment", which automatically  
10       connotates that we are not letting them save our  
11       environment.

12                      If you flip through you see an article,  
13       it's called Last Stand for the Old Woods and it is  
14       subtitled: Much of what is left of our primeval forest  
15       is about to vanish in a rampage of greed. The time has  
16       come to just say no. There is a picture of a forest  
17       that has apparently been scarified but to me, I'm not  
18       an expert, it doesn't look like it has been scarified,  
19       it looks to me like it has been burnt because this area  
20       here is more blackish than brown and you can see the  
21       brown across the lake here, and also you see only two  
22       stumps that have been cut, the rest looks like field.

23                      If you flip a couple of pages more, you  
24       see this. (indicating) It's a picture of a chain saw  
25       bent and twisted and what it is is a Macdonald's ad



1       stating the corporate policy on the destruction of the  
2       rain forests of the world.

3               We have to make the public aware of the  
4       facts. We have to show them our statement of our  
5       environmental policy, we have to explain the harvesting  
6       process to them, planting and letting grow and  
7       harvesting and replanting again.

8               When I was in second grade there must  
9       have been a forest fire scare going on because we had  
10      Smokey the Bear visit us and we did many things  
11      concerning trees and we had to make up a list of things  
12      that trees were good more for, and I think almost it's  
13      time that we start making the Canadian people think  
14      about the things that trees are good for. They need  
15      it, we have to start asking them how they are going to  
16      build their houses or what they are going to make their  
17      furniture out of or what they are going to write on.  
18      Wood and wood products are necessary to Canadian living  
19      and we can't let Canadians forget that.

20              So to summarize what I have said, I think  
21      the forest industry has to concentrate on two  
22      operations. The first is speedy reforestation and the  
23      second is educating the public on the cycle and  
24      necessity of our operations.

25              I would like to leave you with a quote

1 from John Muir:

2 "God has created for these trees, save  
3 them from drought, disease, avalanches  
4 and a thousand straining, levelling  
5 tempests and floods but he cannot save  
6 them from fools."

7 When Mr. Muir said this he wasn't taking  
8 into consideration this fact.

9 "So God made man in his own image, in the  
10 image of God he created him, male and  
11 female he created them. God blessed them  
12 and said to them, be fruitful and  
13 increase in number, fill the earth and  
14 subdue it, rule over the fish of the sea  
15 and the birds of the air and over every  
16 living creature that moves on the ground.  
17 Then God said, I give you every  
18 seedbearing plant on the face of the  
19 whole earth and every tree that has fruit  
20 with seeds in it, they will be yours for  
21 food and it was so."

22 God has given us the gift of the forest  
23 to raise and tame as our own and with gift comes  
24 responsibility. We have the responsibility to replant,  
25 to continue the cycle and preserve the environment for

1 future generations. The very fact that we are all here  
2 shows that we are taking that responsibility and that  
3 we are concerned about carrying it out and that means  
4 that we are not fools.

5 Fools are people who almost kill workers  
6 by throwing spikes in logs, fools are people who tie  
7 themselves to bulldozers or hold hands around trees  
8 when they could do twice as much good going out and  
9 planting one, fools are people who become prejudiced  
10 against us without hearing our side of the story and we  
11 have no choice but to make them hear our side.

12 That is my submission. Thank you for  
13 your time.

14 MADAM CHAIR: Thank you very much, Ms.  
15 Klug.

16 Does anyone have a question for Ms. Klug?

17 (no response)

18 MADAM CHAIR: Thank you very much.

19 We will now hear from Mr. Grant Brodeur  
20 who is with the Ontario Silvicultural Contractors  
21 Association.

22 GRANT BRODEUR, Sworn

23 MR. BRODEUR: Good afternoon. I would  
24 like to take this opportunity first to introduce myself  
25 to the audience. My name is Grant Brodeur, I am not a

1 forester. About eight years ago when I got out of high  
2 school I was accepted into the forestry program at  
3 Lakehead University, but after taking a look at the way  
4 the industry was going and the downgrading of the  
5 Ministry staff I decided I would go into business  
6 school and become an entrepreneur.

7 Two years into my business school I  
8 started Broland Enterprises with a partner of mine,  
9 Michael Boland and that was five years ago. During our  
10 five years of operation we planted over 25 million  
11 seedlings across all of Ontario and currently right now  
12 we have 180 planters, foreman, cooks, tree deliverers  
13 and supervisors that are working for us in a number of  
14 communities across northern Ontario. This year we will  
15 have revenues of over \$1.2-million and of that \$700,000  
16 of that will be going to wages.

17 Most of the work that we do is for the  
18 FMA companies, the private logging companies, including  
19 Boise, Canadian Pacific Forest Products, Abitibi-Price,  
20 Spruce Falls, Buchanan Bros., Northwest Timber and of  
21 course we do work for the Ministry of Natural Resources  
22 as well.

23 The reason that I happen to be in Fort  
24 Frances is that I am currently the supervisor on the  
25 Boise plantation that we are doing in the Manitou



1 forest. Unfortunately, I couldn't be here this morning  
2 when there were some comments being made about tree  
3 planting, but I happen to have a crew of 40 planters in  
4 there that are plugging away putting trees in the  
5 ground right now.

6 As you mentioned earlier, I am speaking  
7 here in terms of -- on behalf of the Ontario  
8 Silvicultural Contractors Association and our  
9 organization is a group of very competitive contractors  
10 that try to come together to formulate opinions on the  
11 industry and we try to guide the industry in the  
12 direction it's going to be going. We negotiate a lot  
13 with the Ministry of Natural Resources, Workmen's  
14 Compensation Board, Ministry of Labour, Employment  
15 Standards Act and the FMA companies as well.

16 Two years ago I was elected as the  
17 President of the Ontario Silvicultural Contractors  
18 Association which I will call OSCA for short, O-S-C-A,  
19 and last year I was re-elected as the President.  
20 OSCA represents approximately 30 of the contractors  
21 that currently work in Ontario of which, on the list  
22 this year, there is approximately 78. A lot of those  
23 contractors that aren't represented by our association  
24 are very small contractors that might plant 30 or 40 or  
25 maybe 50,000 trees a year. Our contractors that are

1 members represent over 120 million of the trees that  
2 currently get planted in Ontario every year, of the 162  
3 million that happens to be the gross number of trees  
4 getting planted in 1990.

5 Of the member companies, there are  
6 approximately 6,000 people that get hired every summer  
7 and of those people most of them are university  
8 students. I would like to submit as an exhibit the  
9 Ontario Silvicultural Contractors Association 1990  
10 membership guide which outlines the by-laws of the  
11 association and our code of ethics, included in it is a  
12 list of all our members and the executive committee and  
13 lists along those lines.

14 MADAM CHAIR: We will call that Exhibit  
15 1174.

16 ---EXHIBIT NO. 1174: Ontario Silvicultural Contractors  
17 Association 1990 Membership  
Guide.

18 MR. BRODEUR: So today I am going to be  
19 speaking as the President of the Ontario Silvicultural  
20 Contractors Association as opposed to the President of  
21 Broland Enterprises, and I guess I am here to defend  
22 tree planting contractors to a certain extent.

23 In reply to Howard Hampton's address this  
24 morning, I saw some minutes from the meeting and I  
25 would just like to address some of his concerns that he

1 made. The first one being that there is no  
2 professional supervision in the fields by our member  
3 contractors or contractors in general.

4 The people that we have out in the field  
5 supervising our planters are extremely, highly paid  
6 foremen who have qualified to be foreman by planting  
7 these themselves for upwards of five or ten years.  
8 These people are very highly motivated and their  
9 salaries are directly linked to the quality and  
10 production of the tree plants that they work on. If a  
11 tree plant comes in with low quality, it is directly  
12 related to the foreman because his job is a hundred per  
13 cent quality.

14 The second point that Mr. Hampton raised  
15 was that planting is a numbers game, and that's right.  
16 I mean, we are here to make money, the planters are  
17 here to make money and if you have planters out there  
18 that are only putting in a hundred trees a day in the  
19 ground, they are not to be making any money.

20 Because of the very short windows, the  
21 tree planting right now is approximately six weeks or  
22 eight weeks to get all the trees in the ground. If you  
23 don't have planters out there that are putting in at  
24 least a thousand to 1,500 trees per day, you are just  
25 not going to get the job done. An example being, you

1 have a two-million tree contract, you have 40 planters  
2 that are working on the contract, you need to be  
3 putting in at least 40- to 50,000 trees every single  
4 day that you are out there planting in order to meet  
5 the completion dates of the contract.

6 The planters are paid on a piecework  
7 basis for the most extent. Numbers will average  
8 anywhere from six cents a tree to maybe 12 or 15 cents  
9 a tree depending on the land, type of stock that's  
10 being planted and a number of other issues and concerns  
11 that the contractor will assess when he is looking at a  
12 job and will take those considerations into effect when  
13 he is actually putting the bid in on the job.

14 In terms of the numbers game and the MNR  
15 contract schedule B, I believe it is, that Mr. Hampton  
16 received to, planters averaging over 1,500 or 2,000  
17 trees a day can't possibly be meeting the MNR contract  
18 specifications for quality.

19 Well, it's funny because I just finished  
20 a tree planting contract for the Ministry of Natural  
21 Resources, Contract No. 23, just south of Nester Falls  
22 where I had approximately 10 or 11 planters put in the  
23 ground 177,577 trees at a percentage rate of 96.8 and I  
24 would like to submit the quality report from the  
25 Ministry of Natural Resources on that plant as an



1 example.

2 MADAM CHAIR: That will be Exhibit 1174.

3 MR. BRODEUR: The total number of trees  
4 that were checked --

5 MR. HANNA: Excuse me, Madam Chair.

6 MADAM CHAIR: Excuse me, 1175.

7 ---EXHIBIT NO. 1175: Quality report issued by the  
8 MNR to Broland Enterprises re  
contract No. 23.

9 MR. BRODEUR: The total number of trees  
10 on the contract that were checked were 758 and of those  
11 734 were considered properly planted as to the contract  
12 specifications. In order to get full payment on the  
13 job we had to receive 95 per cent payment, so we did  
14 receive full payment on the contract.

15 In terms of the difficulties to  
16 contractors, one of the major concerns to contractors  
17 when they are looking at a job is access into a block.  
18 When you have to move a lot of people and a lot of  
19 trees and a lot of equipment in a short period of time,  
20 if you can drive right to the block in a half-ton, your  
21 price is going to be considerably lower, if you have to  
22 use a Nodwell muskeg carrier in order to move in 3  
23 million trees into a swamp situation somewhere in  
24 Kapuskasing.

25 Before the bid is submitted to either the

1 FMA company or to the Ministry, the contractor is  
2 responsible to fully be aware of all the access, what  
3 he is going to be able to have maintained, after spring  
4 break up what won't be maintained, and it is up to the  
5 contractor to ensure that he properly submits a bid  
6 that's going to cover any expenses that he has in  
7 renting equipment or supplying his own equipment to  
8 make sure he can move his own equipment, personnel and  
9 the trees into the block.

10 A lot of the times access has been  
11 removed for one reason or the other and the contractor  
12 should be well aware of any such instances when he is  
13 out viewing the sites. The contractor should always be  
14 asking questions of whoever is giving the tour so he  
15 gets a very-well developed plan as to how he is going  
16 to go about accesssing the job himself.

17 Another concern that he raised was the  
18 fact that there has been tree planting stock that has  
19 been bulldozed. Yes, there has been, last year in, I  
20 believe it was, Thunder Bay. The facts on this issue I  
21 don't have, they are not perfectly clear in my mind, I  
22 just know the sort of guidelines.

23 There were a number of trees that were  
24 bulldozed. That is because if a grower is contracted  
25 to grow a million trees, some of his trees are going to

1 die during the season, frost kill, they're just not  
2 going to germinate for one reason or another;  
3 therefore, a grower might have to produce another 10 or  
4 20 per cent of the number of trees that he's contracted  
5 to ensure that he is going to be able to supply the  
6 number of trees that he is contracted for. Again, I'm  
7 not exactly sure as to the numbers they might  
8 over-produce.

9 In the year in question which the trees  
10 were bulldozed, the number of stock produced -- it was  
11 a bumper crop and, unfortunately, there wasn't enough  
12 funding to plant all the extra trees that were produced  
13 and, therefore, the trees were bulldozed. If there was  
14 more money in the pockets of the government, I suppose,  
15 then some of those trees could have been planted.  
16 Unfortunately, there wasn't and so they were bulldozed  
17 and they should have been bulldozed if they weren't  
18 planted.

19 Unfortunately, this year there is always  
20 another bumper crop of stock and due to media relations  
21 those trees are being planted and they shouldn't be  
22 planted. There are plants going on right now where  
23 planters are bagging up and the trees are reaching  
24 above their heads. Trees are being culled because they  
25 can't fit into a box. The trees are coming in at about

1 four feet high and trees that are that high have a very  
2 well developed root system, and unless you have a  
3 backhoe you are not going to be able to develop a  
4 proper planting hole to have the root systems properly  
5 supported in the hole.

6 When they are actually lifting the trees  
7 themselves, they actually are the cutting the root  
8 systems as well and trees that are that large, you  
9 know, are going to have a harder time surviving, but  
10 because of publicity and what the press has done, those  
11 trees are actually going out in the field and getting  
12 planted. The only solution I can see to making sure  
13 that this doesn't happen is perhaps the government can  
14 find a little bit more money to plan the excess stock  
15 that is generated each year.

16 So that was my reply to the address this  
17 morning. I would now like to go on to some of the  
18 notes that I prepared. I just found out that the EA  
19 hearings were coming to Fort Frances yesterday, so  
20 these note aren't in the best of order right now so  
21 just bear with me.

22 A little bit of background on tree  
23 planting. Planting started back in the 60s, I guess,  
24 by the Ministry of Natural Resources and in the early  
25 80s they started giving some of the contracts -- they



1 started tendering out some of the contracts to private  
2 contractors. As I mentioned before, we are now  
3 planting 162 million trees in 1990 at about 2,000 trees  
4 per hectare on average, that's about 80,000 hectares of  
5 land that are going to be hand planted by planters.  
6 That means that every six feet there is some guy that  
7 is going to be bending over and sticking his hand into  
8 the cold, wet dirt and planting a tree. That's a lot  
9 of bending over if you have to do deep knee bends 162  
10 million times.

11 From all my indications from the  
12 Ministry, the contractors are planting the trees at a  
13 higher quality rate and planting more trees than the  
14 Ministry would have been able to plant themselves. So  
15 from my indications and my negotiations with the  
16 Ministry, the forest resources group, is that the  
17 contractors are actually doing a better job than the  
18 Ministry was doing when they were administering the  
19 program.

20 After settling my negotiations with the  
21 Ministry, I found that there is a drastic need for more  
22 information. There is a gap between the number of  
23 trees that are actually harvested each year, the number  
24 of hectares that are harvested and the number of trees  
25 or hectares that are regenerated each year. The size

1 of the gap isn't really known. They know there is a  
2 gap, whether -- you know, how big it is, they are not  
3 quite sure.

4 They also aren't very sure on the amount  
5 of backlog of land that's not sufficiently regenerated  
6 or NSR land, that happens to be in the back 40 that is  
7 just coming up shrub, it's not coming up at the proper  
8 density allowances that they want to see the land  
9 coming back at.

10 The Ministry has initiated a program  
11 called SOARS, the Survey of Artificial Regeneration,  
12 and this program is currently generating information  
13 that will hopefully alleviate some of the questions as  
14 to the size of the gap and the size of the backlog.  
15 I know for a fact that the Ministry is very anxious to  
16 try and build a data base that is going to hold this  
17 information for them.

18 Working with a lot of the FMA companies,  
19 they have been introduced to a GIS system where they  
20 are going to be able to get all their cutting licences  
21 put into a computer system, and if you want to you can  
22 put out a map that will be a ratio of one to one. You  
23 will use a lot of paper, but you will be able to kick  
24 it out. It is an expensive system, you have to have a  
25 lot of very sophisticated computer equipment and it

1 takes a long time to digitize every single little  
2 spruce swamp and every little road and creek.

3 However, once the information is in, as  
4 long as nobody pulls the plug, it is in to stay. And I  
5 think if the Ministry can look at developing a GIS  
6 system that is going to hold all the information for  
7 Ontario, it's going to cost a lot of money to initially  
8 get the information into the system and have a system  
9 that's going to work, but once it is going to be there  
10 I think that a lot of the information that a lot of  
11 interest groups are demanding is going to be a lot more  
12 readily available to them.

13 The next point I would like to make is I  
14 think the tree planting program or the artificially  
15 regenerated seedling program, if you will, by hand  
16 planting should be increased.

17 I guess you could say I am saying that as  
18 an entrepreneurial contractor as well as President of  
19 the Association. Currently and for the past couple of  
20 years there has been a cap on the number of seedlings  
21 being produced. 162-million trees this year; last year  
22 the cap was 162-million, but I think they squeaked out  
23 167 because there was excess stock and they managed to  
24 find some money and scrape it together and plant the  
25 extra trees.

1                   In our professional opinion as  
2     contractors, and what we see in the information that we  
3     have been able to get ahold of, we figure that the  
4     program could almost double, not only the current gap  
5     between regeneration and harvest, but also to try and  
6     take care of any of the backlog information.

7                   Our association has a program called the  
8     fire program, and unfortunately I don't have a copy of  
9     it with me right now, but I can send it into the  
10    offices and it outlines I believe six or seven  
11    different programs where we say the number of trees  
12    being planted in Ontario should equal 375-million a  
13    year.

14                  Recently I was in Toronto for the  
15    announcement of the greening of Ontario which is a  
16    slight increase in the number of trees that are being  
17    planted. Greening of Ontario is a corporate greening  
18    strategy by a number of large corporations that are  
19    going to be submitting funds into an account that the  
20    Ministry will be administering, along with the Ontario  
21    Forestry Association, and those funds will be used  
22    directly for the planting of trees.

23                  You can't just take out a dollar and  
24    plant some trees, you also have to look at the site  
25    preparation, tending, planting, growing of the trees.



1 It is hoped that in the next couple of years that they  
2 will be planting some 6-billion trees a year, however,  
3 when you look at that in terms of a percentage on the  
4 total program, it's not that large of an increase.  
5 It's going to help, but it's not really going to put a  
6 dent into the backlog.

7 I have concern over the way that some of  
8 the press handles the tree planting industry and maybe  
9 the logging industry on the whole. I read as many  
10 newspapers and magazine articles as I can and I don't  
11 like what the press has done with the situation in  
12 Temagami. From my indications there's going to be an  
13 election some time in the fall and I think that maybe  
14 they're just doing this to make a lot of votes for when  
15 they go to the polls. And I don't like some of the  
16 things they say about pollution and the amount of  
17 pollution that gets kicked out by the different  
18 industries and things.

19 Unfortunately people most of the time  
20 when they pick up a newspaper or a magazine look at  
21 pictures and read the headlines, and I am sure that if  
22 some of the headlines were good news stories as opposed  
23 to all bad news stories that the public awareness and  
24 public perception of the industry would probably be a  
25 little higher than maybe what it is right now.

1                   In terms of some direct public awareness,  
2       I would like to see some more signage on, you know, cut  
3       blocks that might be right on the highway. I know that  
4       it's done to a certain extent right now, and when  
5       people drive by cut-overs between here and Thunder Bay  
6       it says area replanted or planted, and it gives a date.  
7       I think if more of that can be done in areas that are  
8       being cut-over so that the public is informed as to  
9       what's going on in the area, that is all going to help  
10      the public in their awareness as to what goes on.

11                  I guess the same thing - this might be  
12      getting off topic a little bit - but when people are  
13      clearcutting areas, they should come right down to the  
14      highway because when somebody drives by and they see an  
15      area that's clearcut they are going to say: Well, what  
16      are we doing with this area that is clearcut, as  
17      opposed to masking it with a border of trees that go  
18      along the side of the highway so that they can't see  
19      the cut-over. If it came right out to the road then  
20      maybe they'll pick up a pencil and write to the  
21      Ministry of Natural Resources and say, you know:  
22      Here's a cheque for \$5, let's go plant some trees.

23                  Yesterday I saw an article that came out  
24      of a Red Lake newspaper and I was informed that it was  
25      discussed this morning. Unfortunately the tree

1       planting industry is very competitive and I suppose  
2       that's good because it's keeping the bid prices down,  
3       and it's unfortunate that sometimes planters get caught  
4       in the middle of things and, unfortunately, some  
5       contractors handle it differently than others.

6                 Right now as a contractor everybody has  
7       had to do a hundred per cent debt financing for the  
8       value of their contracts. Specifically with the  
9       Ministry of Natural Resources, it takes at least 30  
10      days before you get a cheque from them. Before you can  
11      invoice you have to have some trees in the ground.  
12      Usually you have to plant for maybe a week or two  
13      weeks, so you're looking at maybe four or five weeks of  
14      work until you can actually get some money back.

15                Unfortunately during those periods of  
16      time you're having all your major cash outlays in terms  
17      of planter advances, all your operating costs and  
18      whatnot and it's pretty scary the amount of  
19      indebtedness that some contractors get into because I  
20      have seen in the past where some contractors can't get  
21      out.

22                Things along those lines make bad news  
23      stories because the tree planter is usually the one  
24      that doesn't get a paycheque. If a contractor goes  
25      broke halfway through the season, he doesn't have any

1 money to make his payroll. In the past the MNR has had  
2 to have a special account where they've actually had to  
3 pay the payrolls of a number of tree planting  
4 companies.

5 As an Ontario contractor it is your right  
6 and obligation when you establish your company, whether  
7 you incorporate it or not, to abide by the Employment  
8 Standards Act which states that you have to pay your  
9 planters. Because of the way the Industry works,  
10 sometimes there just isn't any money to pay the people  
11 and it's unfortunate and it's probably a very rare case  
12 where, you know, the planters actually don't get paid  
13 at all.

14 The situation up in Red Lake, from when I  
15 read the article, I just quickly looked at it. I mean,  
16 what are you supposed to do, your labour force is from  
17 down south where it takes a number of days to get them  
18 to the work site and you're transporting them up there  
19 in a vehicle that is going to be the most reliable for  
20 you once you're in the bush and, unfortunately, when  
21 you get to the site all of a sudden you get snow.

22 Well, sometimes you can catch the snow  
23 before the planters leave and you tell them not to come  
24 up for a week and sometimes you can't and you just have  
25 to try to make ends meet. If you can put them up in a



1 hotel room, your Visa card goes through great, but  
2 sometimes that Visa card won't go through and so what  
3 are you supposed to do. It's a tough situation, the  
4 contractor has to try and deal with it as best he can.

5 He's also on a very strict guideline as  
6 to when his start date is, when his completion date is,  
7 he has to have so many planters there, so many trees.  
8 It's a lot of organization for a contractor to try and  
9 make sure that everything is going to come together.  
10 As soon as one thing starts to happen to go bad a lot  
11 of times it just seems to go from bad to worse.

12 So it's unfortunate what's happened up in  
13 Red Lake situation, but I am sure that the contractor  
14 is going to be able to get the job done and that  
15 everything should work out fine for him. Unfortunately  
16 for the two planters that came up, if they had stuck it  
17 out and maybe given the contractor a bit of a break,  
18 they probably would have started to make some money.

19 I would just like to talk on funding a  
20 little bit. It's something that my association and all  
21 the directors we always talk about whenever we get a  
22 chance to have it put in writing. We need a FRDA  
23 Agreement. A FRDA agreement is an agreement between  
24 the Ontario government and the federal government to  
25 split the costs of silviculture in the province and

1 right now we don't have an agreement, we haven't had  
2 one for awhile. We need to sign something. The  
3 province is ready to go to the table and there can be a  
4 message to the Feds, they've got to get out there and  
5 sign something. Everything costs money and unless you  
6 know there is some money there, the program isn't going  
7 to be able to be developed to the point where everybody  
8 wants it to be developed.

9                   Along the same sort of line, B.C. is in  
10 the process I believe of trying to sign an FRDA  
11 agreement themselves. This year they are planting  
12 350-million trees, last year they did 280-million.  
13 Things in the B.C. industry are considerably different  
14 from Ontario, and perhaps we should start to look  
15 towards the B.C. industry to see how they administer  
16 some of their programs possibly, just as an idea.

17                   Now, I mentioned the Ontario corporate  
18 greening strategy. That is going to increase the  
19 amount of funding that is coming in and it's a great  
20 sign. I just hope some of the corporations aren't just  
21 bandwagoning where they're going to be able to take a  
22 picture of a forest and put it on the side of Highway  
23 400 with a big billboard and say: Buy our gas because  
24 we plant trees. I hope that they really mean it when  
25 they say that we're out there planting trees for the

1 good of planting.

2 The other program that is going to help  
3 out is the Hydro announcement on I believe it was May  
4 4th in Thunder Bay that they are now going to be  
5 planting trees for all of the area that they have cut  
6 to make way for Hydro lines as such. I believe they  
7 have an initiative to plant or to regenerate 700  
8 hectares over the next five years each year to give a  
9 total of 3,500 hectares over five years.

10 I know that there is a major power line  
11 that is going to be coming through from Manitoba to  
12 Timmins, it's going to be taking out I believe in the  
13 neighbourhood of close to 10,000 hectares and they are  
14 going to be fully funding the regeneration of all those  
15 lands.

16 So while there is some bad news stories  
17 in that we don't have a FRDA agreement yet, there are  
18 some good news stories in that the private corporations  
19 seem to be chipping in.

20 In conclusion I would just like to say  
21 that the goal of the forest industry should be to  
22 ensure the survival of the forests through a program of  
23 sustainable development so all the interested groups  
24 can profit from the forests.

25 Thank you.

1                   MADAM CHAIR: Thank you very much, Mr.  
2 Brodeur. We have a few questions for you.

3                   Did you say that there are approximately  
4 78 contractors?

5                   MR. BRODEUR: I believe it's in that  
6 neighbourhood. It's between 70 and 80. The original  
7 list we had was around 265. The number of people  
8 bidding on jobs this year was 99, Ministry jobs I  
9 believe 68 contractors accepted work, and then there  
10 are a number of contractors that don't work for the  
11 Ministry at all, but solely work for the FMA companies  
12 and that brings it up between 70 and 80 contractors.

13                  MADAM CHAIR: And of your 30 members--

14                  MR. BRODEUR: Yes.

15                  MADAM CHAIR: --in your association, you  
16 planted, you gave a figure as to how much you planted.

17                  MR. BRODEUR: Approximately 120-million.

18                  MADAM CHAIR: Out of the 160-million this  
19 year?

20                  MR. BRODEUR: Yeah, about 162. I believe  
21 it's -- in the guide it actually gives the total number  
22 of contractors. Yeah, it's between 25 and 30  
23 contractors.

24                  MADAM CHAIR: When you bid on a contract,  
25 you talked about having a visit to the site?



1 MR. BRODEUR: Yes.

2 MADAM CHAIR: Do you walk the entire  
3 site?

4 MR. BRODEUR: No, we do a representative  
5 walk-through. In order to receive a contract for, say,  
6 a million trees, usually you have to bid on maybe  
7 10-million. That is a lot of ground to cover and a lot  
8 of the time you don't have time to cover the whole  
9 ground.

10 A lot of the time when you're out viewing  
11 with the Ministry of Natural Resources they have a  
12 viewing tour at which point a representative from the  
13 district office is taking you out on a bus or in a van  
14 and they are pointing out key aspects of the job,  
15 access, type of stock that is going in, the type of  
16 site preparation. A lot of time you will get out and  
17 you'll walk through, but you never walk to the back end  
18 of the block and walk every single hectare, there just  
19 isn't the time for it.

20 This year one of our associate members  
21 started a viewing company where a contractor can buy  
22 their services, at which point you get a viewing report  
23 from the contractors. A number of people used their  
24 services this year and they seem to be fairly thorough.  
25 They do a sample plot, I believe it's every hundred

1       thousand trees, which determines how many trees you can  
2       get per hectare and things along those lines. So you  
3       get a block description when you are bidding either  
4       from the Ministry or from the FMA company, and it talks  
5       about the access and the type of trees and the data  
6       site preparation and things along those lines.

7                   MADAM CHAIR: One of the issues that was  
8       discussed or raised this morning by Mr. Hampton was  
9       that he was told that tree planting contractors have  
10      difficulties when they come onto surprises in the areas  
11      that they are going to plant; in other words, they  
12      don't know that it will be particularly rough terrain  
13      and their costs increase and, for that reason, it can  
14      lead to bad practices or the quality of the trees not  
15      being what they should, or the tree planting?

16                   MR. BRODEUR: It's the contractor's  
17      responsibility to know what's going on in the block and  
18      if -- I mean, if you're going along and all of a sudden  
19      the road is washed out from a spring washout and it  
20      wasn't washed out when you were viewing the site, most  
21      of the time, 99.9 per cent of the time, the company or  
22      the Ministry will fix the road for you.

23                   So much of your job depends upon how good  
24      a working relationship you have with your client. If  
25      you have a good working relationship and everything is

1 going good, the contractor will bend over backwards to  
2 accommodate the client and usually it works vice versa.  
3 But if there's a washout, you know, a load of gravel  
4 will be brought in and, you know, or maybe the planters  
5 will spend, you know, five minutes in the morning  
6 filling in the hole or the foreman or the tree  
7 deliverer will be there filling in the hole so that  
8 they can, you know, get the trees in the ground. But  
9 it's the contractor's job to know what he's going to  
10 get into before he takes a contract.

11 If because the contractor didn't walk  
12 over a hill to see a huge swamp with no access and  
13 10-foot poplar, you know, that hadn't been sprayed or  
14 something like that, that's his fault. At the same  
15 time he shouldn't be misled by the client, he shouldn't  
16 be taken out. If it's a completely clay site with lots  
17 of slash, the client representative taking the  
18 contractors out on the tour shouldn't take them to a  
19 gravel pit and say the whole job looks like this.

20 So it works both ways. The contractor is  
21 going to believe a lot of time what the tour guide is  
22 saying.

23 MADAM CHAIR: How do you train the  
24 planters that you hire?

25 MR. BRODEUR: Training is done by the

1 foreman. Usually in the first two weeks the planters  
2 are given small plots of land which the foreman is  
3 checking practically every single tree that they plant  
4 for quality, spacing. All the different codes that  
5 identify a properly planted tree are related to the  
6 planter, and the number of trees they plant is closely  
7 monitored to ensure that new planters aren't  
8 highballing right off the top and getting poor quality.

9 Usually if a tree planter goes along and  
10 tries to slam the ground 1,500 trees his first day,  
11 he's going to end up replanting for the next five. So  
12 after you have replanted once you don't want to replant  
13 again. Replanting is not much fun.

14 MADAM CHAIR: Mr. Brodeur, you said that  
15 you had some more material to give us--

16 MR. BRODEUR: Yes.

17 MADAM CHAIR: --from your association?

18 MR. BRODEUR: Yeah, that's the -- what is  
19 it -- oh, the fire program.

20 MADAM CHAIR: That's right. We gave it  
21 a --

22 MR. BRODEUR: The Forest Inventory  
23 Renewal Emergency, it's a program that was developed by  
24 a chap by the name of Dirk Brechman who's the president  
25 of the contractors association in British Columbia and



1 he's also the president of Brechman & Associates which  
2 is a member company of our association, as well as he  
3 has one of his supervisors serving on our Board of  
4 Directors.

5 MADAM CHAIR: All right. We gave that an  
6 exhibit number, 1174.

7 MR. BRODEUR: 1174?

8 MADAM CHAIR: Yes, please.

9 MR. BRODEUR: Okay. I will have my  
10 secretary submit that to the Board.

11 MR. HANNA: Madam Chair, I think there  
12 may be some confusion. I had 1174 being the membership  
13 guide, 1175 being the quality control sheet.

14 MADAM CHAIR: The contract, yes.

15 MR. HANNA: Well --

16 MADAM CHAIR: But there is only two  
17 pieces of material; isn't it?

18 MR. HANNA: Yes.

19 MADAM CHAIR: There is a green book--

20 MR. HANNA: There's two.

21 MADAM CHAIR: --which is 1174, and  
22 Contract No. 23 is 1175.

23 MR. HANNA: Sure.

24 MR. CASSIDY: Right.

25 MR. HANNA: I don't think we gave an

1 exhibit number for the fire program. He mentioned a  
2 fire program, I didn't have in my notes an exhibit  
3 number given to it.

4 MADAM CHAIR: Okay, that will be Exhibit  
5 No. 1176.

6 MR. BRODEUR: Okay. So I will make  
7 reference to that in my covering letter.

8 MADAM CHAIR: Thank you.

9 ---EXHIBIT NO. 1176: Fire program entitled: Forest  
10 Inventory Renewal Emergency.

11 MADAM CHAIR: Are there any questions for  
12 Mr. Brodeur?

13 Mr. Hanna?

14 MR. HANNA: Madam Chair, I would just ask  
15 one request about Exhibit 1175, which was: Is that a  
16 quality control sheet, is that what you would term it,  
17 Mr. Brodeur?

18 MR. BRODEUR: This is the planting  
19 inspection report that the Ministry of Natural  
20 Resources did on a contract that Brodeur Enterprises  
21 did, block No. 23. It's the quality report that the  
22 Ministry does on all our planting to determine the  
23 density of the area and the percentage of the area.  
24 It's done on a plot basis, and there are 59 sample  
25 plots done throughout the area.

1                   So it's from the Ministry, that they  
2 actually do. We have our own reports, the foreman do a  
3 quality audit on every planter of 50 trees a day. If  
4 the planter is planting a thousand trees a day or 1,500  
5 trees a day, you can figure out what that sample size  
6 is.

7                   MR. HANNA: My notes indicated that you  
8 had said that 95 per cent was the level that you had to  
9 achieve and you achieved 96.5 or something?

10                  MR. BRODEUR: 96.8.

11                  MR. HANNA: 96.8. Was there any  
12 particular reason you picked out that sheet, or is that  
13 just one you had handy and is representative of  
14 what...?

15                  MR. BRODEUR: I got this this morning, it  
16 happened to be in my briefcase. We just completed the  
17 contract on Monday and I was just in and I invoiced the  
18 Ministry for the full amount of the contract today, and  
19 they said thank you very much for a job well done, and  
20 we shook hands and said we hope to see you next year.

21                  MR. HANNA: So it would be fair to say  
22 that's representative of the kind of work that  
23 generally your company is doing and other companies  
24 within your organization, at least?

25                  MR. BRODEUR: I like to think so.

1                   MR. HANNA: That is my question. Thank  
2                   you, Mr. Brodeur.

3                   MADAM CHAIR: Ms. Blastorah?

4                   MS. BLASTORAH: I think, Mr. Cassidy.

5                   MADAM CHAIR: Mr. Cassidy, do you have a  
6                   question?

7                   MR. CASSIDY: Just a few questions.

8                   Mr. Brodeur, you've indicated that that  
9                   contract had a 96.8 per cent success rate or quality  
10                  rate?

11                  MR. BRODEUR: Correct.

12                  MR. CASSIDY: Did it contain a minimum  
13                  that you had to meet?

14                  MR. BRODEUR: I guess there's a minimum.  
15                  If your quality is below, I believe it's 85 per cent,  
16                  you don't get paid and you start getting charged  
17                  liquidated damages for the planting you've done. As  
18                  soon as you get under 95 per cent, the amount of pay  
19                  that you actually receive is on a sliding scale basis.

20                  I believe when you have 95 per cent it's  
21                  full payment; 94 per cent is 98 per cent payment; 93  
22                  per cent quality is 96 per cent payment; 92 per cent  
23                  quality is 94 per cent payment; 91 per cent quality is  
24                  92 per cent payment; and 90 per cent quality is -- 90  
25                  per cent, underneath that going down to 85, your paid



1       whatever the assessment rate is; and below 85 per cent,  
2       I believe it is, you start getting charged liquidated  
3       damages, at which point also the contract can be  
4       terminated.

5                   MR. CASSIDY:  So below a certain point  
6       it's going to cost you money, you've got to pay back  
7       and once you get beyond that point, in essence, the  
8       better job you do the more you get paid; is that right?

9                   MR. BRODEUR:  Exactly.

10                  MR. CASSIDY:  And is that a similar type  
11       of scale -- maybe not the same numbers, but is there a  
12       similar type of scale in your experience with FMA tree  
13       planting contracts?

14                  MR. BRODEUR:  Yes, most definitely.  
15       Nobody is ever going to be perfect and you're never  
16       going to have a hundred per cent quality, it would be  
17       nice, you get a hundred per cent quality on a lot of  
18       the plots you do, but inevitably you're going to find  
19       one tree here that isn't planted probably or one that  
20       is too close.  So with all the FMA companies, I mean,  
21       you can go anywhere from 85 per cent being full payment  
22       to 93 per cent being full payment.

23                  MR. CASSIDY:  So -- sorry.

24                  MR. BRODEUR:  Go ahead.

25                  MR. CASSIDY:  I didn't mean to interrupt

1       you, but as I understand it then, there appears to be a  
2       real incentive to do a quality job?

3               MR. BRODEUR: Yeah. I mean, we are out  
4       there planting trees to generate a forest, and while  
5       the planters are out there to make money if they aren't  
6       putting a tree in properly then they're not going to  
7       get paid for it, and they're not going -- I mean, you  
8       know when you put a bad tree in the ground, and you  
9       want to do quality job because that reflects on the  
10      amount of money that everybody is going to make, so...

11             MR. CASSIDY: You talked about the  
12      replanting that you might have to do if you don't meet  
13      the quality. I guessing replanting means cost, right,  
14      extra cost?

15             MR. BRODEUR: Extra cost to a certain  
16      extent in that it's going to take you longer to plant  
17      the block because your planters aren't being fully  
18      productive. You hope that your planters are going to  
19      put in say a thousand bareroot trees a day on average  
20      over the length of the season.

21             MR. CASSIDY: So it's cost saving to do  
22      the job right the first time?

23             MR. BRODEUR: Exactly, just like anything  
24      else.

25             MR. CASSIDY: All right. Those are my

1 questions. Thank you.

2 MADAM CHAIR: Ms. Blastorah?

3 MS. BLASTORAH: I just had one question  
4 really of clarification in relation to one of the  
5 figures that Mr. Brodeur gave.

6 I believe, Mr. Brodeur, you said that you  
7 had done a calculation that led you to believe that  
8 there could be an increase of approximately 375-million  
9 trees per year in the regeneration program --

10 MR. BRODEUR: Increase to that amount.

11 MS. BLASTORAH: Or sorry, increase to  
12 that amount.

13 MR. BRODEUR: Right.

14 MS. BLASTORAH: Would that be based on  
15 all harvested areas being planted, or some harvested  
16 areas being planted?

17 MR. BRODEUR: I believe -- I haven't read  
18 the program for awhile, but I believe it's all  
19 harvested programs, all the NSR backlog areas being  
20 regenerated by the year 2005. There is a very large  
21 Hydro component in that, areas that were cut during the  
22 energy crisis by farmers to generate heat for their  
23 farmhouses because they couldn't afford fuel oil, all of  
24 these sort of areas that should be regenerated now  
25 that the need isn't there, you know, that where the

1 farmer cut the tree down he should be putting one back  
2 and it's an accumulation of all these different  
3 programs, very large ones and small ones, that get you  
4 to an aggregate total of 375-million.

5 MS. BLASTORAH: And that would all be for  
6 planting?

7 MR. BRODEUR: Mostly, yeah.

8 MS. BLASTORAH: Thank you.

9 MADAM CHAIR: All right. Thank you very  
10 much, Mr. Brodeur, for coming this afternoon.

11 MR. BRODEUR: Thank you. (handed)

12 MADAM CHAIR: Thank you very much, Mr.  
13 Brodeur.

14 ---Discussion off the record

15 MADAM CHAIR: We have a group of seven  
16 individuals who are tourist outfitters, and I  
17 understand they would like to make individual  
18 presentations, and I have been given a list in order.  
19 If you want to change the order around, go ahead, but  
20 perhaps I'll call each person as I have on this list.

21 The first is Mr. Bernie Cox.

22 Hello, Mr. Cox.

23 BERNIE COX, Sworn

24 MADAM CHAIR: Thank you, Mr. Cox.

25 MR. COX: We just heard about this in the



1 last couple of days and, as you can imagine, we're real  
2 - - busy right now, but we have gotten together and we  
3 would just like to come and voice some of our views and  
4 so forth.

5 I have been in the tourist business since  
6 1979 and 1984 I started a fly-in fishing business and  
7 the timber management process is quite a thing from an  
8 outfitter's standpoint. I think it's probably the most  
9 significant and feared aspect of the outfitting  
10 business, the continuing encroachment of logging roads  
11 through remote areas is a concern which affects the  
12 very survival of the fly-in fishing business.

13 Though the present process addresses  
14 these problems much better than in the recent past,  
15 there is still remains an ongoing problem, remoteness  
16 is fast disappearing.

17 That logging has to occur is a foregone  
18 conclusion, nobody has an argument about that, it's got  
19 to happen; but that it has to occur to the detriment of  
20 another resource-based industry is ludicrous. Tourism  
21 is a largely unseen industry, there are no smoke  
22 stacks, whistles or sirens and large numbers of people  
23 don't go to the same location to work; instead, a large  
24 number of small businesses function quietly,  
25 efficiently and relatively harmless to the environment.

1 For this reason the industry is easily ignored or  
2 overlooked, but it is an industry.

3 The handful of outfitters in this room  
4 today represent 81 outpost camps, 4 lodges, 24  
5 aircraft, they employ 93 people; pilots, guides  
6 mechanics, numerous helpers, carpenters, that sort of  
7 thing. The business is seasonal, yes, but many of us  
8 derive full-time livings from these businesses.

9 The spinoff of jobs and services and the  
10 fresh new currency that is brought in from out of the  
11 country has a tremendous benefit to the economy. This  
12 is a legitimate industry.

13 I can tell you from personal experience  
14 that roads are the death warrant to a remote lake. I  
15 have outpost cabins on lakes that have been fished from  
16 the time fly-in fishing was first pioneered right here  
17 in Fort France in the 1940s. These lakes produced fish  
18 and have third generation repeat clientele when I  
19 arrived, this was 1984.

20 Of the 13 outpost camps operated by my  
21 company, seven have road access now.

22 MADAM CHAIR: Could you speak a bit  
23 slower, please, Mr. Cox.

24 MR. COX: Okay. Would you like me to  
25 repeat anything.

1 THE REPORTER: No, that's fine, just  
2 carry on.

3 MR. COX: Okay.

4 MADAM CHAIR: Thank you.

5 MR. COX: The fishing has dropped off  
6 markedly at these locations and so has the repeat  
7 business. These lakes have been accessed during the  
8 past six years and these past six years are the years  
9 that really tourism is becoming more and more  
10 recognized and more respected yet, at the same time,  
11 these problems are ongoing. The resource simply cannot  
12 survive the road access.

13 We do have a world class experience to  
14 offer in a very competitive business. Our competitive  
15 edge is remoteness. Roads don't seem to go away. I  
16 have had in the past the cooperation of the logging  
17 company and MNR in the two cases in destroying access.  
18 It just doesn't seem to work, the roads somehow remain  
19 passable. ATVs, four-wheel drive vehicles prevail. I  
20 have had guests watch from their cabin as a hill was  
21 logged off on a lake I understood was to have a skyline  
22 reserve. I have lakes you can drive to within 75 yards  
23 of the shoreline and one you can back a trailer into.

24 Difficult access is acceptable in this  
25 business. If it's hard to get to, if you have to drag

1       your boat or work to get in there, it's not a problem,  
2       but it's the drive to where you can just get right in  
3       there within an hour's drive of Fort Frances sort of  
4       thing on first-class logging roads is just killing my  
5       business.

6               The irony is that my tax contribution is  
7       going to subsidize the building of these access roads.  
8       The tragedy is that local sportsmen see tourist  
9       outfitters as exclusive users demanding to use these  
10      tax subsidized roads to access new fishing and hunting  
11      areas.

12             When these areas are used up, they just  
13      move further down the road. There is no where for an  
14      outfitter to go now. Lots of outfitters have moved  
15      further and further north as the roads are accessed  
16      around this area. You can't move north anymore; it's  
17      all filled up.

18             It's my view that the block cut system is  
19      particularly lethal to a tourist outfitter, the road  
20      just never seems to go away. They have to cut and  
21      plant and return to cut other block and plant and on  
22      and on it goes. You don't -- you know, if it's one  
23      thing you can shut down a camp for a few years and wait  
24      for the road to go in, it just doesn't work that way.

25             To subsidize a company, a very, very



1     profitable company, to access the very resource they  
2     profit from seems outrageous to me. It would be like  
3     an government aircraft coming to transport my people to  
4     the camps. It just doesn't make sense.

5                 I feel that timber management should be  
6     taken away from the MNR and given to a new corporation  
7     or Ministry and managed exclusively for the benefit of  
8     all. Fort Frances is most certainly not a one-industry  
9     town, but it will be if timber management continues in  
10    the way it's been going.

11                If the timber management process is on  
12    trial here, which is what these proceedings appear to  
13    amount to to me, then I hope you find it guilty and  
14    sentence it to rehabilitation.

15                That's about it.

16                MR. MARTEL: Can you live with the other  
17    type of cutting as opposed to block cutting where they  
18    have to go -- would you be better off with clearcut?

19                MR. COX: If they cut to the lake and  
20    went out on the islands and cut the trees off the  
21    islands and completely balded everything right off and  
22    took the roads out and gave me remoteness, I could  
23    still sell it, I'd still be in business, but having the  
24    access, the constant access just hurts the fishery so  
25    bad that I can't sell it anymore.

1                   MR. MARTEL: So the only solution to you  
2 is the elimination of the road?

3                   MR. COX: Pretty much. Restricting the  
4 access, whether the road has to be eliminated  
5 through -- not allowing people to access certain lakes,  
6 which is really get into a big kettle of fish because  
7 people feel it is their God given right to go to those  
8 lakes once the road is in, perhaps it is, but at the  
9 same time we have a legitimate business interest to  
10 protect and somehow these roads have to stop, at least  
11 the access has to stop.

12                  MADAM CHAIR: Does anyone have a question  
13 for Mr. Cox?

14                  MR. HANNA: Mr. Cox, is the difficulty  
15 with access that the quality of the fishing goes down  
16 or the presence of the people?

17                  MR. COX: Both. The quality of the  
18 fishing goes down, and if you have a cabin and you've  
19 got these guys paying \$600 a head and they meet their  
20 neighbour from Minneapolis on the lake for free, you're  
21 out of business.

22                  MR. HANNA: Thank you. Those are my  
23 questions.

24                  MADAM CHAIR: Thank you very much, Mr.  
25 Cox.

1 MS. BLASTORAH: Madam Chair, just one  
2 question.

3 MADAM CHAIR: Ms. Blastorah.

4 MS. BLASTORAH: I was just wondering  
5 whether Mr. Cox could tell us whether he has ever  
6 brought any particular road situation to an MNR  
7 planning process, brought it to the Ministry during a  
8 planning process and whether he felt that he was heard  
9 in relation to that.

10 MR. COX: Well, yes, I have on more than  
11 one occasion, and I was heard but things didn't happen  
12 the way I understood that they should happen.

13 We are dealing with the Ministry and with  
14 Boise for that matter, a lot of them are my friends,  
15 they're good people, they do a good job and I think  
16 they really have it in them to help a guy out, but  
17 somehow I wind up with roads.

18 One particular case I guess I could  
19 mention would be Bernadine Lake. I met with Boise on  
20 it. And that's another thing, why would I meet with  
21 Boise to talk about a road to my lake? Why wouldn't I  
22 take to the managers who are MNR? I don't get it.  
23 Shouldn't MNR be telling Boise what to do. Who's  
24 managing this thing?

25 Anyway, I walked out of the meeting

1 feeling very good, they were going to remove the access  
2 once they had logged, they weren't going to log while  
3 my people were in there in June and they were going to  
4 leave a skyline reserve and all three of those things  
5 were broken. There is no skyline reserve, my people  
6 could stand on the dock and watch as the people cut the  
7 trees in there, and the road is right to the lake. You  
8 can step out and throw a rock in the lake right from  
9 where the road goes and it just about drove me crazy.

10 MADAM CHAIR: Any other questions?

11 (no response)

12 Thank you very much, Mr. Cox.

13 MR. COX: Thank you.

14 MADAM CHAIR: I think we will take a  
15 brief break, a ten-minute break for the court  
16 reporters, and we will back in ten minutes and we will  
17 hear Mr. Bruce -- I'm sorry, I can't make it out. Mr.  
18 Bruce...

19 MR. LEVIGNE: Levigne.

20 MADAM CHAIR: All right. Thank you.

21 ---Recess at 3:30 p.m.

22 ---On resuming at 3:45 p.m.

23 MADAM CHAIR: Please be seated.

24 We will now call on Mr. Bruce Levigne.

25 BRUCE LEVIGNE, Sworn



1                   MR. LEVIGNE: Hi, I'm Bruce Levigne, I'm  
2 a fly-in tourist outfitter. I own Northern Wilderness  
3 Outfitters, 20 outpost cabins, two large American  
4 lodges and a fleet of float equipped aircraft. I'd  
5 also like to say that I operate in five MNR districts.

6                   I am here today to testify on how I feel  
7 the MNR isn't adequately protecting the fly-in tourist  
8 industry in these timber management agreements. First  
9 may I say that I am a multiple use advocate. I realize  
10 that the timber has to come out, but I'm against the  
11 method by which the timber is cut and extracted with  
12 the indiscriminant placement of logging roads near what  
13 were once fly-in only lakes.

14                  Now, I have enough examples of where this  
15 has happened in these different districts to go on and  
16 take up the rest of the afternoon time here at the  
17 hearing, but rather than do this I'd like to testify  
18 that after having gone through a timber management plan  
19 that they are just not working, at least the process of  
20 where all the areas of concern are supposed to be  
21 addressed adequately before the FMA is to be signed.

22                  I am here to tell you that I took part in  
23 the timber management plan for the Brightsand River  
24 Area and was involved in the forest management  
25 agreement for this area, and that after four meetings

1 involved with the timber and paper companies and the  
2 MNR, that this FMA was signed without adequately  
3 protecting the values and my investment on one of my  
4 outpost cabin lakes.

5 I am here to say that these timber  
6 management agreements are not working as far as the  
7 fly-in tourist outfitter is concerned. There are all  
8 kinds of options and types of logging that will  
9 adequately blend very well with remote tourism, but as  
10 long as the paper and timber companies are set on  
11 removing as much as timber as possible in the cheapest  
12 way possible and with MNR approval, then the writing is  
13 on the wall for the fly-in tourist operators.

14 I have been attending meetings and  
15 hearings in northern Ontario as far back as the Royal  
16 Commission headed by Mr. Fahlgren back in 1976. Back  
17 then I had seen the writing on the walls where we lost  
18 our few first lakes due to roads. Back then we could  
19 move further north, now the north is full of camps,  
20 there is no place else to go. The outfitter has to  
21 hang on to the remaining camps he has. Once a road has  
22 come in, the outfitter has lost not only his camp but  
23 his business.

24 I have never been to a meeting yet where  
25 the MNR is involved on timber extraction where other

1 methods of cutting and removal are seriously  
2 considered. Most concerns are for the fastest and  
3 cheapest way to get the timber out.

4 In my last statement here today I would  
5 like to state, as far as the fly-in tourist industry is  
6 concerned, the MNR has not adequately addressed the  
7 areas of concerns and if this policy is left as is, in  
8 a few short years Ontario's fly-in tourist outfitters  
9 will be a thing of the past.

10 Now, I would like to stay here and talk  
11 all day and give you all kinds of examples, but it's my  
12 busy part of the season, I think you get the point of  
13 what I'm saying and that's about all I have to say this  
14 afternoon.

15 MADAM CHAIR: One question, Mr. Levigne.  
16 Was your industry in favour of the old way of  
17 protecting lakes where there was always a reserve  
18 around the lake?

19 MR. LEVIGNE: Yes. Reserves are good,  
20 but the tourist outfitter could well do with less  
21 reserve as long as he didn't have that access road  
22 there. It is the indiscriminant placement of roads  
23 without vital input of the fly-in tourist outfitter  
24 that really renders a lake useful, as far as the fly-in  
25 tourist outfitter goes.

1                   There is lots of areas where roads could  
2                   have been turned a half mile, gone into another area.  
3                   Sure, it's going to cost more money, but once those  
4                   trees are cut, that part of the economic viability of  
5                   that area land is gone for 80 years where the fly-in  
6                   tourist outfitter operating on that remote lake remains  
7                   viable year after year.

8                   MR. MARTEL: It isn't just the  
9                   indiscriminant location of the road, then, it is just  
10                  the fact that there's a road?

11                  MR. LEVIGNE: No.

12                  MR. MARTEL: If it comes to the lake  
13                  you're dead.

14                  MR. LEVIGNE: If it comes to the lake  
15                  you're dead, but I have seen where you have two lakes  
16                  with three miles in-between and the one lake is what we  
17                  call a dead Z, it's no good, nobody is operating on it,  
18                  very little fish, yet they will put that road as close  
19                  as a half a mile from some fly-in tourist operator's  
20                  top lake, yet the road could have easily went another  
21                  two and a half miles on the other side and protected  
22                  that lake very easily.

23                  MADAM CHAIR: Does anyone have a question  
24                  for Mr. Levigne?

25                  (no response)



1 Thank you very much, sir.

2 MR. LEVIGNE: Thank you.

3 MADAM CHAIR: We will now call on Mr. Bob  
4 Korsinski.

5 BOB KORSINSKI, Sworn

6 MR. KORSINSKI: My name is Bob Korsinski.  
7 I am relatively new in this town and in this business.  
8 I own and operate Rusty Myer's flying service in Fort  
9 Frances I also own and operate a tourist camp 65 miles  
10 north of here.

11 As with these other fellows, I am in the  
12 same deal, my concern is road access. It seems to me  
13 that when you put a road with these people, the main  
14 thing is for trees extraction for these roads, so why  
15 not go in and get your trees and leave again and take  
16 the road with you? I don't really see why -- you know,  
17 everybody says public money goes into these roads.

18 Well, obviously we all pay taxes. I  
19 mean, who's to say where these taxes go, what it does  
20 and that, but, you know, obviously the minute you  
21 access a road like that, the lake is fished out, it's  
22 gone. I mean, I have camps 250 miles north of here and  
23 when somebody flies out of here 250 miles north they  
24 think they are going to Eutopia. They come back and  
25 they say it's like Lake Michigan simply because -- I

1 don't know whose fault is, but people are getting into  
2 these lakes, that's all there is to it. They all say  
3 no access, but they still end up in these lakes.

4 You know, the business can't survive like  
5 that. You know, I just think somebody is doing  
6 something wrong here someplace and there has got to be  
7 a change somewhere. I don't think Boise or -- you  
8 know, I deal with Boise, with Canadian Forest Products,  
9 Abitibi, like I have areas where they all do their  
10 cutting in there and it all seems to be the same thing.

11 This industry can't survive like that.  
12 You know, it's just not Fort Frances District now, I  
13 mean you are talking 200, 300 miles north, it is  
14 getting to be the same deal.

15 Like they make you promise; they do this  
16 they do that, it's just not working. You know, it just  
17 ain't going to go on. There has got to be some  
18 changes.

19 I guess that's all I've got to say.

20 MADAM CHAIR: Mr. Korsinski, have you  
21 seen the case of lakes where there are camps where a  
22 successful fly-in business can continue that harvesting  
23 is carried out nearby?

24 MR. KORSINSKI: In my opinion, no, you  
25 can't. I mean, obviously anybody that comes to a lake

1 is going to fish on the lake, and they're going to get  
2 there the easiest way the means, you know, the best way  
3 possible. And if they are allowed to go on the  
4 roads -- I mean, the roads are there to cut the trees,  
5 not allow access to the lake for fishing.

6 I mean, nobody complains about this lake  
7 when there is no road there. I mean, they don't say:  
8 Well, I want to go to this lake now, but as soon as a  
9 road is there, they say: I have the right to go to  
10 this lake.

11 Like, I've got no complaints about  
12 cutting trees, about nothing but, hell, I want my  
13 grandkids to catch fish too, you know. And obviously,  
14 you know, the way this thing's going there's not going  
15 to be much worth catching, you know, 50 years from now  
16 if this keeps up.

17 I don't knock anybody for trying to go  
18 fishing in a lake, but something has got to be left for  
19 the pristine wilderness of Canada here, I mean, it's --  
20 I mean, how many -- I mean, why do these Americans come  
21 up here is because they don't have much left down  
22 there, and the general drift now is it's getting to be  
23 the same deal.

24 So why come to Canada, let's go someplace  
25 else, you know, and I don't care what they say, tourism

1 puts a big buck into this part of the world, you know.

2 MADAM CHAIR: Are there any questions for  
3 Mr. Korsinski?

4 MR. CASSIDY: Madam Chair, I would like  
5 to ask Mr. Korsinski a question.

6 Yesterday we heard from Mr. John Steinke  
7 that in his view - and I don't know whether you know  
8 him, but I don't think that's material - but what he  
9 said yesterday was that, in his view, access roads  
10 should be maintained for the benefit of the public  
11 since the public contributes to their construction.

12 That seems to be contrary to what you are  
13 suggesting, that once the timber extraction is  
14 completed they should be removed. And would you care  
15 to comment on what Mr. Steinke said yesterday?

16 MR. KORSINSKI: Well, like, I don't know  
17 who subsidizes or even why they subsidize I guess, you  
18 know, for these roads. I mean, I don't know too many  
19 people that subsidize me.

20 MR. CASSIDY: I'm not talking about that,  
21 sir, I'm talking about the question of whether or not  
22 the road should be maintained or, as Mr. Steinke said,  
23 or whether they should be torn up as you seem to be  
24 suggesting.

25 MR. KORSINSKI: They should be torn up.



1 I mean, what do we need city blocks out in the bush  
2 where we have to have roads every three miles. I mean,  
3 is it for forest, you know, for fire prevention or  
4 what? Well then, why do the Ministry have all these  
5 airplanes and stuff?

6 I mean, it's just -- you cannot have  
7 roads all over, I mean it's how much money this country  
8 has to maintain all these bush roads. I mean, the  
9 people they say it was our tax dollar that, you know,  
10 that's putting these roads in. Well, these roads are  
11 there to create their jobs, to create everything. I  
12 mean, it's not -- you know what I mean.

13 MR. CASSIDY: Thank you.

14 MR. KORSINKSI: The roads should not be  
15 there. Why should -- they are there, take your trees  
16 and get out. That's all there is to it.

17 MR. CASSIDY: I have no further  
18 questions, Madam Chair, but perhaps it might be of  
19 assistance to Mr. Korsinski to make him aware that the  
20 Industry gave evidence in its Panel 5 in respect of  
21 access issues, and the evidence was that access  
22 roads -- forest access roads are used for more than  
23 just timber extraction, in fact form a vital part of  
24 integrated timber management activities.

25 I simply point that out for his benefit

1       should he wish to review the transcripts, because I  
2       think that may deal with some of the issues he's  
3       talking about.

4                   MR. KORSINSKI: Oh sure, there is nothing  
5       wrong with that, but I don't care about the roads or  
6       about anything, but like to access all these lakes and  
7       you're ruining the lakes, that's all you're doing. It  
8       stands to reason.

9                   I mean, if I go way up north and there's  
10      like oodles and oodles of people up there where there's  
11      not supposed to be, you know, it's like Bernie and them  
12      said, I mean, it's like a horror deal. You go farther,  
13      you go to one lake, once you're there for a while the  
14      fishing's gone, well, I'll go to the next one. I mean,  
15      that's just how it works. It's sad to say, but that's  
16      how it works. And you cannot go any further north now.  
17      I mean, why should we have to go north in the first  
18      place. I mean, it's bad enough down here, you know,  
19      now the north is the same deal.

20                  MADAM CHAIR: Okay. Thank you very much,  
21      Mr. Korsinski.

22                  MR. KORSINSKI: Thank you.

23                  MADAM CHAIR: Mr. Jack Pope?

24                  JACK POPE, Sworn

25                  MADAM CHAIR: Thank you.

1                   MR. POPE: My name is Jack Pope, I'm from  
2                   Nestor Falls, Ontario. I'm involved in a fly-in  
3                   business, I've been doing this since 1974.

4                   I've watched roads inundate our area  
5                   between Fort Frances, Kenora, Dryden, that whole area  
6                   that we operate out of and squeeze us smaller and  
7                   smaller due to access, boat caches, et cetera, we have  
8                   moved our operation north. We have outposts up north,  
9                   we're fighting the same thing like Bob said.

10                  I just feel that the tourist industry  
11                  deserves some respect in our investment. We have a lot  
12                  of money laid out in aircraft, outpost camps, boats,  
13                  motors, equipment. We work very hard for a short  
14                  period of time, a four or five-month season now. We  
15                  spend the rest of the time trying to bringing some  
16                  people into this country, we go to sports shows, and I  
17                  just have the feeling all the time we get no  
18                  recognition at all from the Ministry or the paper  
19                  company because there is no regard.

20                  I have seen lakes just get tormented,  
21                  people get in there by their own means once the roads  
22                  are in. We have walked away from outpost camps, taken  
23                  the fridges and stoves out and left the camp there and  
24                  shut it down, and I just think that we need some  
25                  recognition.

1 I feel like a broken record sitting here  
2 saying like everybody else, but we've got the same  
3 concerns, everybody here that's on your list.

4 MADAM CHAIR: Are there any questions for  
5 Mr. Pope?

6 (no response)

7 Thank you very much, Mr. Pope.

8 MADAM CHAIR: Mr. Larry Adams?

9 LARRY ADAMS, Sworn

10 MR. ADAMS: My name is Larry Adams and I  
11 run a fly-in fishing camp up by Nestor Falls and I'm  
12 relatively new in the business, I've only been in it  
13 four years now, and in the four short years that I've  
14 been in it the same thing is happening to me as what  
15 the other fellows have been telling you. I have got a  
16 couple of outpost cabins and a main camp that has been  
17 accessed by these roads.

18 And it's very hard to sell your business  
19 with an access because the fishing is down because of  
20 all the pressure. Your guest comes in, they want a  
21 wilderness experience. You fly them in, they think  
22 they are going to be the only person here, and then all  
23 of a sudden here shows up two, three other boats,  
24 somebody else is out there fishing. And then if they  
25 don't get many fish, you know, they don't come back,



1       you will never see that guy again.

2                   And you are trying to build a base of a  
3       business, build your business to get repeat clientele  
4       and you can't do it that way. I mean, we've got to  
5       have a little protection where -- I don't want to say  
6       nobody can fish the lakes, anybody can go in and fish  
7       that lake I don't care, but they've got to use the same  
8       means I do.

9                   I have to fly into that lake, or I have  
10      to portage and work to get into that lake. I don't  
11      think they need to drive their four-wheel drive pick-up  
12      right down to the lake and launch a boat out of the  
13      back of the truck. You know, why do we have to do it  
14      the hard way and they get to do it the easy way.

15                  And the other problem I have with these  
16      accesses that come so close to your lake is theft and  
17      vandalism. I mean, in the last couple of years I've  
18      had boats stole, I've had gas taken, I've had equipment  
19      taken and, I mean, nobody -- you don't get no  
20      protection from nobody, the MNR don't protect you, OPP  
21      won't protect you, you are too far away.

22                  So if you're going to put in a road, who  
23      is responsible to give you the protection you need if  
24      you're going to have that readily accessible to your  
25      place.

1                   And if our business is going to stay in  
2           existence we've got to start preserving. I farmed for  
3           17 years before I got into this business and I know  
4           what conservation is from farming. I had to change my  
5           practices, my equipment and everything through the  
6           years in order to save the soil.

7                   And from what I can see we're not saving  
8           the stuff the way we should be up there. I mean, you  
9           just can't go in, take everything out of a lake, move  
10          on. You just can't keep moving on, you've got to start  
11          preserving. And, you know, it's just -- I can't say  
12          much more I guess, it's just you've got to start  
13          preserving what you've got.

14                  But we cannot bring in new people, new  
15          people, new people all the time, you know, there is got  
16          to be some repeat, there is a lot of competition out  
17          there in that market and we are going to lose out in  
18          the long run if we don't start doing something about  
19          it.

20                  MR. MARTEL: Have you been involved with  
21          any plans or planning process?

22                  MR. ADAMS: I have never been in on the  
23          timber management program because I've just been in the  
24          business for four years. They have done it all before  
25          I got here.

1 I've just been in, and I give my  
2 complaints about the accesses and the thefts and things -  
3 that have happened and I tried to get some things  
4 changed but nothing ever changes. And the only thing  
5 they tell me to do is live with it or move on. I mean,  
6 that's about all you can get done.

7 And I feel that there has got to be  
8 cooperation between everybody. There is room for  
9 everybody here, you know, there is nothing against  
10 logging, you can log, but you have got to have respect  
11 for the other individuals.

12 Just like when I was farming, you cannot  
13 take from that soil year after year and not put nothing  
14 back. In the long run you are going to lose. You  
15 know, this isn't short term, we are talking long term  
16 for everybody. This environment just can't sustain us.

17 MADAM CHAIR: Any questions for Mr.  
18 Adams?

19 (no response)

20 Thank you very much.

21 MR. ADAMS: Thank you.

22 MADAM CHAIR: Mr. Dave Beaushane?

23 DAVE BEAUSHANE, Sworn

24 MADAM CHAIR: Thank you.

25 MR. BEAUSHANE: My name is Dave Beaushane

1 and I guess I'm kind of like the rest of the fellows  
2 here, I own and operate seven fly-in outpost cabins and  
3 three aircraft and I guess I - like Jack Pope said or  
4 the rest of them - sound like a broken record here, but  
5 I guess my biggest problem is with the access roads and  
6 whatnot coming close to our lakes and whatnot.

7 It is kind of hard to operate outpost  
8 cabins, you know, on a fly-in basis and whatnot when  
9 you have, you know, 14 boats or something like that  
10 parked on the lake and your guests see that, it's kind  
11 of tough, and other people that are accessing the lakes  
12 so easily, it's kind of tough to stay in business and  
13 you -- and I, like some of the other fellows, have  
14 moved some of my cabins. I have bought further north  
15 where there are no roads, and it is a lot easier to  
16 promote a camp that is a little further away from roads  
17 and whatnot.

18 MADAM CHAIR: Have you noticed that your  
19 own business has been declining in recent years?

20 MR. BEAUSHANE: I guess my business has  
21 not been declining that much because I spend more  
22 dollars advertising to get the people to come to my  
23 lakes, and I can give you guest lists of people that go  
24 to my northern camps that come back year, after year,  
25 after year and my camps that are closer here that have



1 more pressure on them from having people that are  
2 accessing the lake, I have to go every year and find  
3 new guests. I don't have the repeat clientele, so I  
4 have to go to sports shows all winter long to try and  
5 fill these places up.

6 And the minute they see all the boats on  
7 the lake and stuff like that, it's very hard. And I  
8 guess the other thing that kind of hurts is I am, you  
9 know, pretty conservation orientated and when my cabin  
10 is licensed for only say eight people or say six and  
11 that's all I am allowed to put in there, but the people  
12 can come in and put as many boats as they want in the  
13 lake, and to me that isn't very conservation  
14 orientated.

15 MADAM CHAIR: Any questions?

16 (no response)

17 Thank you very much.

18 Mr. Jerry Kostiak?

19 MR. DICKSON: He had to leave.

20 MADAM CHAIR: All right. And the final  
21 person on my list is Mr. Bud Dickson.

22 BUD DICKSON, Sworn

23 MR. DICKSON: First of all, I would like  
24 to take a few moments to introduce myself.

25 My name is Bud Dickson and I was born in

1 Fort Frances, I've made my home in Atikokan since 1950.  
2 I knew about these hearings for quite some time and  
3 decided that I wouldn't come and I questioned, at the  
4 time, their worth. I must admit today that I'm happy  
5 that I did make the effort to come.

6 And before I give a little history about  
7 myself I would like to, before I forget, just thank  
8 Keith Georgeson for his kind comments towards our  
9 industry. It's that kind of attitude that we need to  
10 see more of in order to live as neighbours in our  
11 northern communities.

12 I also have appreciated the efforts of  
13 OFAH for some of their comments that are consistent  
14 with the beliefs of us as operators and industry.

15 I want to tell the members of the Board  
16 that I'm very disappointed in our government and  
17 whoever is responsible in that they denied the voice  
18 for our industry, which is NOTOA, funding to be  
19 represented at all these hearings and personally I take  
20 that as an insult and would feel very comfortably  
21 telling the Premier that to his face.

22 I'm coming here today not just as a  
23 tourist operator, I'm coming here as a resident of this  
24 Rainy River District where I intend on remaining. I am  
25 a very active trapper, I am a bait fisherman, I have a

1 young family, I am a very avid canoeist and use the  
2 interior of Quetico Park as much as I possibly can and  
3 I am also an avid sportsman. I enjoy hunting and  
4 fishing whenever I have the opportunity, I also enjoy  
5 photography, among other things.

6 Today I'd just like to take a moment and  
7 try and clear up some misconceptions and I would like  
8 to say, contrary to the beliefs of some, that the  
9 tourist industry is a very viable industry. It's very  
10 important to the economy of the north; for instance, in  
11 this country alone last year, it is estimated that \$315  
12 to \$355-million were interjected in the economy  
13 directly through tourism.

14 I don't think that that's something this  
15 province can afford to ignore and I will like to just  
16 give a message to the mayors and reeves out there that  
17 seem to look at this as insignificant. We have an  
18 excellent opportunity as residents of this province to  
19 take advantage of our unique -- the uniqueness that we  
20 can offer the rest of the world.

21 We have a wonderful resource base for  
22 timber, we have a wonderful resource base for tourism  
23 and I'm convinced that we have to start working  
24 together very soon; if we don't, our industry will be  
25 the big loser. We are not revolving on a 20-year plan,

1 we are looking at the long-term, forever, and we manage  
2 our businesses in such a way. And that is where I  
3 become disillusioned, discouraged, angered and very  
4 upset when I travel through areas in our district that  
5 have been devastated by forest management companies. I  
6 don't think that clearcut is the answer.

7 As part of our business, we run a big  
8 bear hunting operation. It is a sad testimony when you  
9 have to drive miles to find a clump of trees big enough  
10 to put up a tree stand to accommodate a bow hunter.  
11 It's a sad testimony when you come to your trapping  
12 grounds in the fall of the year and the trees that were  
13 there holding a marten box or a bait cache are now  
14 gone, and there may be a pile of oil cans or an oil  
15 stained ground from a bush garage, and I resent that.

16 I resent the fact that Natural Resources  
17 does not seem to have enough teeth into managing the  
18 logging companies. I can show you examples where piles  
19 of logs have been left to rot and I'm not just talking  
20 one example, I'm talking several, and I'm not just  
21 poplar, I'm talking cedar and spruce, white spruce,  
22 jack pine and I think that if there is only one or two  
23 instances of that it's one or two too many.

24 The credibility of our industry and in  
25 particular the fly-in industry is at a critical stage.



1 Tourists from the midwest and Europe are going to  
2 places like Manitoba to enjoy the experience that they  
3 once knew in Ontario and came to expect.

4 Yes, access roads are a serious problem,  
5 but so is summer cutting when it's a mile or half a  
6 mile from your camp. They don't want to listen to the  
7 noise of chain saws and skidders, they don't want to  
8 listen to logging trucks rumbling by their camp and  
9 they don't want to be breathing the dust that they  
10 leave behind. And I think that given the opportunity  
11 we have, not every lake has an outpost on it, not every  
12 lake has a fly-in lodge, but the value of that industry  
13 has to be recognized and I don't believe that it's  
14 being recognized seriously enough.

15 For one short example, I would just like  
16 to tell you about a camp that we have that generated  
17 incomes from 25- to \$40,000 a season. It was a small  
18 northern lake that had small-mouthed bass in it, we cut  
19 and developed portage trails to side lakes so people  
20 could hike and canoe into other little lakes.

21 When we got involved in the road planning  
22 process to that camp in 1986 we were very concerned.  
23 We wrote letters, we had meetings, we phoned. Those  
24 concerns are still going on and this year will be our  
25 last year at that camp, MNR is trying to find a place

1 to relocate us. We gave them a list of lakes, they are  
2 not satisfactory to them. They've given us a list of  
3 lakes, mostly mosquito farms, not satisfactory to us.

4 And if you take those camps, we have 21  
5 of them, and you look at the revenues they generate  
6 over a 50-year period, you don't have to be a  
7 mathematician to figure it out. I just think it is the  
8 responsibility of we as citizens to recognize this and  
9 to put our heads together and accommodate both  
10 industries so that our children can enjoy the things  
11 that we enjoyed as children and as adults.

12 I come from a logging family, I have cut  
13 wood in the bush in the winter time, I have a brother  
14 that owns a truck and hauls logs and I rode the logging  
15 drives between Atikokan and Fort Frances as a young  
16 boy, so I have a feeling for it and I don't want the  
17 impression to be left here today that I'm against  
18 logging, but the way in which it's done I have to  
19 question.

20 I have about 15 pages here that I'm not  
21 going to go through, I think my point has been made  
22 very clear. And in particular with the fly-in  
23 industry, we cannot live or survive with roads to the  
24 lakes that the camps are located on, the people and the  
25 paying guests are not paying for that type of an

1 experience, they can go to Disneyland, they can go to  
2 other places for that kind of experince. We have  
3 something very unique to offer the rest of the world  
4 and we are losing and we've lost a lot of it already.

5           Eighteen years when I went into business  
6 there were lots of lakes. You could just go in and  
7 mark them on the map and build a camp, and as the roads  
8 came, they run over the hills. There's no more hills  
9 to go over, it's done, and I think the sadest thing  
10 that happened in Atikokan is that in that whole  
11 district they can't find one lake that's comparable to  
12 that little lake that's a mile and a half long and  
13 three-quarters of a mile wild to accommodate the guests  
14 that we've accomodateed for 12 years because of access  
15 problems and other restrictions MNR have on it.

16           With that, I'm open for questions and I,  
17 again, appreciate the opportunity to come here today  
18 and speak to you people.

19           MR. MARTEL: I want to know what happened  
20 to the camp. You say it started -- the discussion  
21 started in '86 on this small lake or regarding this  
22 small lake where you had a cabin that netted you  
23 \$40,000 anually, we are now in '90 and the camp is  
24 gone.

25           Did MNR make any attempt to accommodate

1 you since you have been forced out? I mean before they  
2 cut, what type of accomodation was made to protect the  
3 lake?

4 MR. DICKSON: Well, first of all, we're  
5 back in there this summer and this will be the last  
6 year and it's only because of some efforts with MNR and  
7 the logging company and ourselves that we are able to  
8 do that.

9 The disturbing thing of that lake was --  
10 the file is here, I can start reading. The first  
11 letter is August 21st, 1986 and we told them that  
12 regarding -- Mr. Steve Tulle:

13 "Regarding your letter of August 12th  
14 and with concern to access roads in the  
15 Sapawe Crown Management Unit, my  
16 recommendation...

17 MS. BLASTORAH: Excuse me, you are going  
18 to have to slow down.

19 MR. DICKSON: I'm sorry. I am going to  
20 stand. On August 21st, 1986 we wrote a letter to Mr.  
21 Steve Tulle, District Manager, Atikokan:

22 "Regarding your letter of August 12th  
23 and with concern to access roads in the  
24 Sapawe Crown Management Unit, my  
25 recommendations remain consistent with



1                   our discussions in the past."

2                   And we told them at that time our  
3       specific concerns and recommendations would be as  
4       follows: That road construction should be of the  
5       winter type only and that resource extracts be done  
6       from October through May to avoid conflicts, that the  
7       road be built so it may be easily ditched or gated to  
8       prohibit unauthorized access, that harvesting of the  
9       resource be done in the fall and winter months - we  
10      repeat ourselves there - and it's a summer cut, they  
11      can't log it in the winter, they tell us.

12                  Some time after that when the road did  
13      get close to the lake, we had agreed where it would  
14      would go and you had to accept the fact that it was  
15      going to be close and it was go in a southerly  
16      direction, and when we flew in last spring to the lake,  
17      the right-of-way was already cut in a northeasterly  
18      direction and we were told that it was too expensive  
19      and impossible to go south, and the northeasterly  
20      direction brought much easier access to the camp. One  
21      of the bear bates that we used for years was just mowed  
22      over, the road went over that.

23                  On May 26 there was a letter in the paper  
24      and we received a letter advising us of a minor  
25      - amendment to the proposed road and the right-of-way was

1 already cut. That wasn't a minor amendment to us, that  
2 was a very major amendment and that I guess is one of  
3 our problems, that what some people determine or define  
4 as minor is very, very major to another.

5 We have a picture of the road and the  
6 lake and whatnot with me today, but the problem is,  
7 there just doesn't seem to be a lake that can  
8 accommodate us satisfactory to carry on business like  
9 we had and we've promoted that for many, many years.  
10 You just don't start over where you left off on a  
11 promotional campaign to replace something you don't  
12 have.

13 MR. MARTEL: In the final analysis, then,  
14 is it your opinion that MNR did just what it wanted to  
15 do regardless of what your concerns were?

16 MR. DICKSON: Yes, sir, they did and so  
17 did the logging company.

18 Why would an amendment appear in the  
19 paper, in a letter of amendment after the right-of-way  
20 was cut? That's pretty gross.

21 MADAM CHAIR: Are there any other  
22 questions for Mr. Dickson?

23 MR. CASSIDY: Was that on a Crown  
24 management unit?

25 MR. DICKSON: The FMA, Crown management

1 unit, yes, Sapawe Crown Management Unit, Sedgwick Lake  
2 north, south of Dibble. We call it Pike Lake they call  
3 it Pine Lake.

4 I guess from where we stand, if I'm going  
5 going to be in business for another 20 years and take  
6 the conservative figure of \$30,000 U.S. a year, it's a  
7 lot of money and there's no place to go. I have seven  
8 full-time staff, 21 part-time. The air service in  
9 Atikokan makes a living off us, we probably give him 60  
10 per cent of his business.

11 And if this is indicative of things that  
12 are to happen in the future, you know, that part of our  
13 business is done and we don't feel that anyone should  
14 adversely affect the way in which we try and do  
15 business for their gain.

16 MADAM CHAIR: Have you ever come across  
17 any enforcement of closed access roads?

18 MR. DICKSON: Excuse me?

19 MADAM CHAIR: Have you ever come across  
20 any enforcement of closed access roads when there have  
21 been MNR people or conservation officers who presumably  
22 would find people who had gone by barriers?

23 MR. DICKSON: Yes, and people were  
24 charged. In some cases people weren't charge, too,  
25 but, you know, that's something we kind of like to

1     avoid. We've got to live with these people. My  
2     neighbours are mostly loggers and my children go to  
3     school with their children and there's got to be a  
4     compromise made.

5                   MADAM CHAIR: Any other questions?

6                   MR. HANNA: Madam Chair, I would like to  
7     ask several questions.

8                   MR. HANNA: Mr. Dickson, I believe you  
9     are familiar with some of the material the Ontario  
10    federation of Anglers & Hunters has prepared?

11                  MR. DICKSON: Yes.

12                  MR. HANNA: I would just like to ask you  
13    several matters dealing with access roads. The first,  
14    are you familiar with the proposal that the Federation  
15    has put forward in terms of looking at the ultimate  
16    access for a forest management unit, a long range  
17    access plan beyond the 20-year period?

18                  MR. DICKSON: I briefly looked at the  
19    document, yes.

20                  MR. HANNA: Maybe I will just summarize  
21    that for you. Perhaps for your reference, it is in our  
22    draft terms and conditions and on page 5 on terms and  
23    conditions 21 through to 26, so I can show that to you  
24    after the session, but I will just summarize briefly  
25    what we are proposing.



1                   What we are suggesting to the Board is  
2   that not only should we look at access in terms of the  
3   next 20 years, which is the normal procedure in a  
4   timber management plan, but that, perhaps in the case  
5   of the Sapawe unit, that you would actually look and  
6   say ultimately 40, 60 years down the road, here is what  
7   the access in that unit might be, here's where the  
8   areas would be left remote, here are the areas that  
9   would be left road accessible in the hope that then  
10  people such as yourself looking at building a business  
11  have some understanding of what the long-term  
12  implications of accessing that unit would be.

13                   Would you see that as a positive  
14  proposal?

15                   MR. DICKSON: It would be positive but,  
16  again, I think members of the tourism industry went  
17  through a process like that in the past and we've been  
18  let down, so now there is a great element of mistrust.  
19  A comment was made this afternoon: We're hanging on.

20                   We are in the 90s, we should be able to  
21  be developing our businesses, we should, you know, have  
22  something for our children to go for, and that's not  
23  the case, but that's why I complimented OFAH on their  
24  efforts because I think there is some progress being  
25  made, some very good progress and we appreciate it.

1                   MR. HANNA: -I'm sure there is mistrust,  
2     in just tourist operators there is a lot of people that  
3     have that concern, and that is one of the reasons we  
4     proposed the public advisory committee.

5                   Now, you have already said to us your  
6     children go to school with loggers, you are amember of  
7     the community, and I think you said there is a need for  
8     compromise, you don't want the compromise to always be  
9     one way. That is what I hear you saying, and I  
10    certainly understand that.

11                  Do you see the proposal of being able to  
12    provide that forum for that discussion to take place in  
13    such a way that it's structured and that that community  
14    has some power, as being one way of trying to reconcile  
15    the various demands and to build back some of that  
16    trust and to provide some better assurance of what's  
17    proposed actually gets carried out?

18                  MR. BEAUSHANE: I can see there the  
19    problem is how long will it take, we are running out of  
20    time. Like, we are running out of time. It is over,  
21    in a lot of cases. I don't have six lakes north of  
22    Highway 17 or or the lake, you know, and I have to  
23    admit, at times I felt hostile and that's not very...

24                  MR. HANNA: Thank you, Mr. Dickson.

25                  MR. DICKSON: Thank you.

1                   MR. HANNA: Those are my questions, Madam  
2 Chair.

3                   MADAM CHAIR: Any other questions?

4                   Ms. Blastorah?

5                   MS. BLASTORAH: I just had one or  
6 possibly two short ones.

7                   Mr...?

8                   MR. DICKSON: Dickson.

9                   MS. BLASTORAH: Dickson, I'm sorry. I  
10 understand, it's my information that the road that you  
11 were talking about, this particular road has in fact  
12 been signed to restrict access during your operating  
13 season; is that correct?

14                  MR. DICKSON: It's been signed for part  
15 of it. There was a concession made on behalf of our  
16 company to eliminate the moose hunt which removes --  
17 very important in the revenue of it. The physical  
18 structure is there and, yes, that's correct, but the  
19 problem is the road is there and they are going to cut  
20 it in the summer and we can't be there when they are  
21 cutting in the summer, two, 300 yards away.

22                  MS. BLASTORAH: Do you know whether that  
23 decision about the summer cutting is finalized, or is  
24 there still any discussion going on about that?

25                  MR. DICKSON: Our discussions have went,

1 as I said, since 1986 until February 9th, 1990 and to  
2 our understanding, yes, it's a summer cut only.

3 MS. BLASTORAH: And are you aware that  
4 that's a final decision or --

5 MR. DICKSON: As far as we're concerned  
6 it's a final decision. We have been told that this is  
7 the last summer we can be there and we got an extension  
8 this year and that we're looking for a new lake and  
9 that's at logger heads because, like I said, the lakes  
10 that were proposed by MNR are not acceptable and the  
11 ones we proposed were not acceptable to them and we  
12 were not asking -- we weren't pie in the sky, you know.

13 MS. BLASTORAH: So you are still talking  
14 to the Ministry about that one?

15 MR. DICKSON: Yeah.

16 MS. BLASTORAH: Thank you. Those are my  
17 questions.

18 MR. MARTEL: You're just there by permit,  
19 land use?

20 MR. DICKSON: Yes, sir.

21 MR. MARTEL: So it can be taken away at  
22 any time virtually?

23 MR. DICKSON: It can be taken away at any  
24 time. To my knowledge it's been done only a few times  
25 in the history of -- it's something they don't do. As



1 a matter of fact, they're waiting to give the tender.

2 Thank you very much.

3 MADAM CHAIR: Thank you very much, Mr.

4 Dickson.

5 We have two gentlemen left to hear from  
6 this afternoon, and there may be -- are there other  
7 people in the audience who wish to address the Board  
8 when we finish the next two presentations?

9 (no response)

10 All right.

11 We'll hear from Mr. Don Canfield now,  
12 please.

13 Mr. Canfield is with the Fort Frances  
14 Sportsmen's Club.

15 DON CANFIELD, Sworn

16 MADAM CHAIR: Thank you.

17 MR. CANFIELD: My name is Don Canfield.

18 I work as a papermill millwright at Boise Cascade here,  
19 and I'm a director of the Fort Frances says Sportsmen's  
20 Club but right now I'm speaking as an individual.

21 As I said, my livelihood comes from the  
22 forest as trees are turned into paper, and I do not  
23 want to see timber management made so expensive that it  
24 puts me out of work, but I believe that resource  
25 management and timber extraction can be combined

1 through a process that would involve all user groups.

2 I have looked at some of the open house  
3 materials and some of the OFAH material has interested  
4 me. As you can tell, I'm probably not -- I'm not a  
5 good speaker, but some of this material that they have  
6 is what I have on my mind.

7 One such example is, and I will quote  
8 right from their fact sheet is:

9 "Why good timber practices are important  
10 to you?"

11 And I have an example, and one of the  
12 examples is this block cutting that has been used now  
13 and it's up on the Tessup Road by the Turtle River, and  
14 this is an area that I've been going up to this area  
15 fishing for years and the last more recent years I've  
16 been going up there moose hunting, and because of this  
17 method I'm convinced that -- because of this method,  
18 that there has been a major increase in the moose  
19 population where the block cutting is present.

20 And I think I can attribute this to there  
21 being more fringe area for them to live in, and it  
22 seems like it's better habitat for them and it seems  
23 to -- the better the habitat, the more moose there are,  
24 they seem to be increasing. The cover is there, the  
25 deep forest is there, and there is also plenty of feed

1     for them. It seems like it's an ideal system and it's  
2     far better than the old clearcut or strip cut method.

3             And this I definitely think should be  
4     looked at more closely. It's a real step in the right  
5     direction. I think the MNR should get a pat on the  
6     back for this management idea.

7             I would also like to refer to the OFAH  
8     fact sheet on page 2. I would like to highlight  
9     something that really caught my eye, I couldn't -- I  
10    was trying to put into words, and that is::

11            "Our forests should be managed  
12            simultaneously to supply timber,  
13            wildlife habitat, wildlife populations  
14            and recreational opportunities under a  
15            common planning process. Also the new  
16            planning process recommended by the OFAH  
17            would include timber plans incorporating  
18            both timber and non-timber (e.g. wildlife  
19            targets) to deliver a genuine integrated  
20            resource management."

21            And that integrated resource management  
22     is something that I know myself that I've been thinking  
23     about for quite a while and I know that it's -- a lot  
24     of members of our club are quite concerned with this  
25     too. Also I would like to read out of here:

1                   -- "The planning process advocated by the  
2                   OFAH would enable MNR managers to supply  
3                   wildlife habitat, wildlife population and  
4                   recreational opportunities in addition to  
5                   supplying timber to the forest industry."

6                   And I think this is hitting the nail  
7                   right on the head as far as the local sportsmen are  
8                   concerned.

9                   In the late 70s our club did some clover  
10                  seeding in an area west of here in conjunction with a  
11                  local MNR office. The clearcut was small and it was  
12                  surround by heavy timber. It was scarified, then we,  
13                  our club members went in and we seeded the cut with  
14                  white clover and we also seeded the roads.

15                 I've been back there a few times and  
16                 since this clover has come up I've seen deer in there,  
17                 I've seen small game and you notice that the population  
18                 is quite healthy and it's living quite well. There is  
19                 an abundance of lush green clover.

20                 But I thought to myself, many times I  
21                 thought if this is the way that Ontario should be  
22                 managing its resources, you know, with the way of  
23                 cutting and also with the way of regeneration. It  
24                 seemed to work out so well in this small little area,  
25                 it was almost like an experimental area.



1 I've also been to some open houses and I  
2 agree with OFAH on these public advisory committees and  
3 I would like to read again out of here on page 3 out of  
4 this fact sheet:

5 "The OFAH is concerned that the past  
6 experience with the MNR public  
7 consultation has shown it to be  
8 ineffective. To ensure meaningful public  
9 consultation, a representative group of  
10 citizens is proposed to form a public  
11 advisory committee for every FMU.", or  
12 should probably be FMA.

13 And I took the key word out of there, is  
14 being meaningful out of that. I will -- instead of  
15 public advisory committee, I will just use PAC. These  
16 PACs seem to -- they must have teeth in them, and  
17 really be listened to by the MNR.

18 You know, we've had cases before where  
19 MNR has asked for public input such as on the Turtle  
20 River Park, I believe it was in '83, and nobody wanted  
21 the darned park, nobody in Fort Frances, to my  
22 knowledge Dryden, Ignace or Atikokan wanted it, but it  
23 was shoved down our throat anyway.

24 MR. CASSIDY: Sorry, I didn't hear that.  
25 Was that a park?

1 MR. CANFIELD: A park, Turtle River Park.

2 MR. CASSIDY: Thank you.

3 MR. CANFIELD: PACs with all interest  
4 groups present should be formed on access roads and  
5 listened to. The MNR should be funded well enough also  
6 to provide all the members of this PAC with the  
7 information they need to make a well-balanced decision.

8 I would like to just -- I was going to  
9 end it right here, but I would like to go on a little  
10 bit, if I could, and say what -- counter what has been  
11 said earlier.

12 I believe that 80 per cent of the fish  
13 caught in this area is also by non-residents. To solve  
14 this problem, planning by these PACs could avoid the  
15 problem before the roads go in. A non-resident's  
16 access road policy would also serve a lot of these  
17 problems that are already here.

18 Residents of Ontario also do contribute  
19 year-round to Ontario's economy through purchases of  
20 recreation equipment, et cetera, and also the residents  
21 of Ontario also have the right to legally travel  
22 throughout the province.

23 And to summarize what I'm trying to say  
24 is, if we follow this integrated resource management  
25 plan, we will receive the maximum benefit from our

1 forest and still have a competitive and productive  
2 forest industry.

3 That's all I have to say.

4 MADAM CHAIR: Thank you very much, Mr.  
5 Canfield.

6 Are there any questions for Mr. Canfield?  
7 Mr. Cassidy?

8 MR. CASSIDY: Not a question, but again  
9 perhaps being of assistance to Mr. Canfield and anyone  
10 else present, I might point out that there are other --  
11 several of the other major parties, with the exemption  
12 of Forests for Tomorrow, have proposed similar concepts  
13 in terms of public advisory committees at local and, in  
14 the context of my client, regional and provincial  
15 levels.

16 So I invite them to review the evidence  
17 of my client as well as the terms and conditions of the  
18 parties that have raised that, in addition to the  
19 Anglers & Hunters, again with the exception of Forests  
20 for Tomorrow.

21 MADAM CHAIR: Thank you very much, Mr.  
22 Canfield.

23 MR. CANFIELD: Thank you.

24 MADAM CHAIR: And the final scheduled  
25 presentation we have this afternoon is from Mr. Jack

1 Hedman.

2 ---Discussion off the record.

3 JACK HEDMAN, Sworn

4 MADAM CHAIR: Thank you.

5 Mr. Hedman has given the Board copies of  
6 his written presentation. We will give that an exhibit  
7 number, that will be Exhibit 1177.

8 ---EXHIBIT NO. 1177: Copy of written presentation by  
9 Mr. Jack Hedman.

10 MADAM CHAIR: Also, I think we neglected  
11 to give an exhibit number to an earlier presentation,  
12 Mr. Ginter's from the C.P.U.

13 We didn't leave a number open for that  
14 either; did we? Before I forget, why don't we make Mr.  
15 Ginter's presentation Exhibit 1178.

16 ---EXHIBIT NO. 1178: Copy of written presentation by  
17 Mr. Kim Ginter.

18 MADAM CHAIR: Mr. Hedman?

19 MR. HEDMAN: Thank you, Madam Chair, Mr.  
20 Martel, ladies and gentlemen in the audience.

21 My name is Jack Hedman. I am  
22 representing the Fort Frances Sportsmen's Club. We are  
23 an affiliate of the OFAH and, like our parent  
24 organization, we too are concerned about the  
25 environment.



1           I would like to, before going on with my  
2 particular brief, just give you a quick overview as to  
3 some of the things that our club is involved in. I'm  
4 sure that many people in here that are quite familiar  
5 but, nonetheless, I feel it's an important thing to  
6 point out.

7           What I will be referring to is a copy of  
8 some background information that I sent to Wendy  
9 Shepanik of Boise Cascade about a month or so ago at  
10 her request, and it reads:

11           "The Fort Frances Sportsmen's Club is  
12 affiliated with the Ontario Federation of  
13 Anglers & Hunters. Our Club has a  
14 membership of approximately 275 and our  
15 parent organization, the OFAH, is  
16 currently 73,000 strong.

17           The local club owns property by Frog  
18 Creek. The facilities include a boat  
19 launch, rifle range, skeet range, and  
20 pistol area. Some day we would like to  
21 see this property developed to include a  
22 clubhouse with facilities. We need a  
23 place to gather and to promote club  
24 activities.

25           Our club is operated through directors

1                   and elected officers. We have a  
2                   president, treasurer and secretary and  
3                   several directors.

4                   The business committee in our club is the  
5                   fish committee. Problems with the  
6                   resource have dictated this as our focus.  
7                   I might point out that the last gentleman  
8                   to speak, Mr. Canfield, is a member of  
9                   our club and Don was recently selected as  
10                  the outstanding conservationist in the  
11                  Province of Ontario at the provincial  
12                  conference in Hamilton. So we have some  
13                  very valuable people working with us."

14                 We work cooperatively with MNR and see  
15                 the latter relying more heavily on our volunteer  
16                 services as each year goes by. Our biggest effort is  
17                 reflected through the fish committees work over the  
18                 years. The primary thrust of this work has been on  
19                 spawning stream and bed rehabilitation.

20                 Government grants have been readily  
21                 available up to now but the monies seem to be  
22                 shrinking. They are concerned because there is still a  
23                 great deal of work to be done.

24                 Any project we have undertaken in  
25                 fisheries development has been studied afterwards and

1 we are pleased to see positive results. Fish are now  
2 spawning in areas that have been dormant for years.

3 Our club has recently constructed crappie  
4 cribs to help take the heat off the walleye population  
5 on Rainy. Preliminary findings are encouraging. We  
6 want to localize the crappies as much as possible to  
7 enhance angling opportunities for this tasty species.  
8 We have worked with the tourist outfitters on this and,  
9 indeed, gone up and showed them how to construct such  
10 cribs.

11 We also work closely with a sister club  
12 in International Falls, Minnesota, that Rainy Lake  
13 Sport Fisherman's Club. Together each year we hold a  
14 senior citizens fish fry at Sunny Cove. Last year we  
15 fed in excess of 350 local senior citizens. For many  
16 it was their taste of walleye in years.

17 An archery club was formed within our  
18 group last year. Although the numbers involved are  
19 low, we are certain that this group will grow quickly  
20 and become an integral part of our organization.

21 The skeet club has been very active for  
22 years. They are trying to encourage new members to  
23 join. The shooters get together once a week on club  
24 property and hone their skills. Competition is keen  
25 and each year they have a championship contest with our

1 friends from the Falls.

2 Our big game efforts have been slow in  
3 recent years due to the concentration of the fisheries  
4 enhancement. The club has been active in deer feeding  
5 programs with MNR and helped establish a resident goose  
6 flock at a site in Bergland, Ontario. Currently we are  
7 thinking of doing a project involving nesting boxes for  
8 mallards. The club also contributes instructors for  
9 the Hunter Safety Training Program.

10 We seem to be getting closer in  
11 establishing a pistol club within the club.  
12 Frustrations have been encountered in trying to deal  
13 with regulations, but it seems that we are getting  
14 there.

15 This spring the club will be busy  
16 assessing the spawning bed results - it should be last  
17 spring - and I'm very embarrassed to say that we missed  
18 the run this year, but apparently many of the folks at  
19 MNR missed it as well. We also plan to do a crappie  
20 transfer and that date has now been changed because of  
21 an environmental assessment, it's now going to be I  
22 believe June 2nd and 3rd. We will be transferring  
23 crappies from Rainy Lake into Sawbill Lake. This  
24 project was sponsored by MNR and we'll provide the  
25 workers. Once again, we are trying to take the heat



1 off the walleye population.

2 The club's Father's Day alternate species  
3 fish derby is also in full swing for this year. It  
4 should prove to be bigger and better than last year's.

5 Our club also thanks Boise Cascade for  
6 their support over the years. Like all good corporate  
7 citizens, Boise recognizes the values in conservation  
8 work.

9 I will skip down to the last paragraph.  
10 Our club can continue to flourish with an active  
11 membership. Every day it seems we are faced with new  
12 challenges and problems.

13 MS. BLASTORAH: I think the reporters  
14 would appreciate it if you slowed it down just a little  
15 bit.

16 MR. HEDMAN: The only reason I'm trying  
17 to speed up, I must apologize for that, I'm looking at  
18 my watch, I was scheduled to go on at four o'clock and  
19 I have a feeling my presentation might take up to an  
20 hour, it's quite lengthy. I apologize to the people in  
21 the audience. So I will slow down, I put a lot of work  
22 into this and I will take my time. Thank you.

23 Other issues that our club has dealt with  
24 just recently, Don has already alluded to the turtle  
25 River Park, we attended the open house hearings in Fort

1 Frances.. Indeed we initiated Eric Keist to come down  
2 from the Ignace area and give us a preview as to what  
3 we were to expect because we were concerned with the  
4 public consultation process which has been going on  
5 here for the last two days. People keeping talking  
6 about they are not well enough informed.

7 So we thought we could only address the  
8 issue if we had some background information because it  
9 is very hard to walk in, it boggles the mind sometimes  
10 when you come in off the street and see the proposals.

11 Personally, I also made out a  
12 presentation, the young fishermen are coming here in  
13 August and it is going to be their premier walleye  
14 fishing derby for the year and I don't think they are  
15 too sensitive to the pressures on Rainy Lake. So we'll  
16 make quite a presentation to them. As a matter of  
17 fact, our club was the only organization in the  
18 district that I'm aware of that made such a  
19 presentation.

20 We're also involved in, pitch in, report  
21 a poacher, it goes on and on and the last thing that  
22 we've done just recently is we are running a series of  
23 videos to promote fishing with some of the young school  
24 children. A number of our directors and members are  
25 school teachers and show them how to get the "y" bones

1 out of jack fish and so on.

2 I can foresee one major problem coming up  
3 and people around here may scoff at it, I hope they  
4 don't. I understand the zebra mussels problem is  
5 already current in Deluth, so that's something that's  
6 going to be around the corner for us because if those  
7 things get into our inland lakes we are in for big  
8 trouble. If they are Deluth now, particularly with the  
9 tourist traffic, I think we can anticipate some  
10 problems in the near future.

11 So much for the background. I would like  
12 to get into the meat and potatoes. Sorry for that, I  
13 know it's close to supper. I would like to get into  
14 the meat and potatoes of my report. Many people  
15 mistakingly identify our organization as solely  
16 concerned with angling and hunting. Indeed our pledge  
17 gives an overview of what our concerns are. It reads:

18 "I give my pledge as a Canadian to save  
19 and faithfully defend from waste the  
20 natural resources of my country, its  
21 soils and minerals, air, forests, waters  
22 and wildlife."

23 That is essentially what this hearing  
24 should be examining. I would like to draw the panel's  
25 attention to the cartoon I have enclosed in my package.

1 I thought it was very appropriate so I wrote Sven  
2 Larsons, but I have some extra copies. You might like  
3 to have a look at it later.

4 For those in the audience that do not see  
5 it, there's a big cloud and the voice is booming out  
6 and it says: Oh, oh, and then there's a bottle with  
7 human beings that has been dropped on to the planet.  
8 Deer and squirrels are watching humans running through  
9 the planet.

10 A little bit of my own background. I've  
11 lived in northern Ontario all my life and I love the  
12 people and the land. I was born in Kirkland Lake - I  
13 will skill over that year - and moved to Sudbury in  
14 1947. I consider Sudbury home, although I've lived  
15 here in Fort Frances for 22 years.

16 I'm employed as a teacher locally and  
17 most of my spare time is spent either enjoying the  
18 outdoors or defending it. Unless we take some steps to  
19 protect what we have today, future generations will  
20 regard our legacy with disdain.

21 Efforts towards environmental  
22 preservation and enhancement are currently fragmented  
23 and interest groups expressing concern with the  
24 problems often work at cross purposes. What we lack is  
25 a cohesive and unified front to combat and correct what



1 we perceive as wrongs.

2           The MOE and the OMNR could be leaders in  
3 this area and achieve their goals by better utilization  
4 of groups such as the OFAH, tourism association,  
5 trappers associations, native groups and so on; the  
6 list is endless.

7           I've often heard OMNR officials grumble  
8 about the poor participation of residents when open  
9 houses are held. Part of the problem may be a general  
10 disregard for our political system where elected  
11 officials are expected to vote on party lines rather  
12 than on the wishes of their constituents.

13           With little knowledge of the months of  
14 planning that goes into a timber management plan, how  
15 can a lay person be expected to attend and participate  
16 in such a forum where the reams of material and  
17 technical jargon is beyond their comprehension. Like  
18 many others appearing before this Board, I too feel  
19 somewhat intimidated by the process. It is difficult  
20 to try and sort out positive alternatives and even be  
21 critical of a class environmental assessment when you  
22 haven't seen the proposal. Chances are, even if I saw  
23 the proposal, I wouldn't have the time to read it or  
24 the expertise to understand it, let alone read between  
25 the lines.

1                   I have read Volumes 140 and 141 recorded  
2   from the hearings held in Dryden and to avoid being  
3   overly repetitious, the focus of my presentation will  
4   be reasonably specific. As I mentioned earlier, groups  
5   perceived as being proponents of sound environmental  
6   policies are currently quite splintered, are often  
7   working at cross purposes. I just heard that term used  
8   about 45 minutes ago. If their efforts could be more  
9   unified, I think you'd see far more progress and much  
10 less grumbling.

11                   It is my feeling that desired results  
12 stem from a sense of direction and a unified front.  
13 With a better understanding of everyone's goals and  
14 flexibility and positions, we can achieve a great deal  
15 more. To this end, the OFAH has proposed the formation  
16 of a public advisory committee to participate in the  
17 timber management planning process.

18                   I think the idea is super and it  
19 addresses the problems shared on both sides of the  
20 fence. Such a committee might be the right vehicle to  
21 help tear down perceived barriers to timber management  
22 plans. The underlying theme for these hearings and the  
23 goals are all connected to the same end: sound  
24 environmental policies for timber extraction.

25                   All the spin-off effects of timber

1 management must be equally weighted with economic  
2 concerns. Threatened mill closures and gloom and doom  
3 forecasts holds the environment at ransom. What we  
4 must examine is our conscience and the bottom line for  
5 all concerned is at what cost.

6 A PAC, as proposed by the Federation,  
7 would give the other players in this game a say in how  
8 the process should go. I believe you are familiar with  
9 the mechanics of the suggestion as outlined in their  
10 draft terms and conditions for TM planning on Crown  
11 land in Ontario, so I will not pursue this further.

12 Our district manager, Mr. Tim Taylor, for  
13 the OMNR is held in high regard by our club for his  
14 open and innovative approach to environmental issues.  
15 Tim is instrumental in the planning of the Loonhaunt  
16 Road Committee. I must admit at this point I've been  
17 unable to hear most of the proceedings because of work,  
18 but I have been told that this has been brought up  
19 before.

20 What Tim has done is an example of how  
21 the OFAH has suggested a public advisory committee  
22 could work. Plans for the extraction of timber and  
23 road development in the Loonhaunt Lake area are in the  
24 hands of a committee that incorporates all user groups.  
25 Each has representation on the committee and the

1 ... chairman, Peter Wilkins, is regarded as a neutral  
2 party. This group is doing the planning and consulting  
3 the public along the way. What they decide will not be  
4 altered.

5           The user groups will have a sense of  
6 ownership when the final draft is developed. This to  
7 me is an example of participatory democracy and the  
8 philosophy behind the process is sound: involve the  
9 people and act on concerns. Too often government is  
10 seen as having a hidden agenda and the electorate feel  
11 public comment is useless because the game land is  
12 already carved in stone. Complacency sets in and  
13 people become cynical. How many times have you heard  
14 the remark: Why bother, they have already decided what  
15 they are going to do.

16           Read the OFAH draft terms and try to view  
17 it through the eyes of the public. Is it not a good  
18 way to invite the public to participate in planning the  
19 use of their resources. I'm convinced it would work,  
20 it's worth a try.

21           Much has been said about integrated  
22 resources management in recent months. No timber  
23 management plan can be complete unless all resource  
24 benefits are given equal footing. A dollar value can  
25 be placed on a tree by a forest company, how concerned



1 are they about the spin-off effects of timber  
2 extraction as it relate to hunters, fishermen, tourist  
3 outfitters, naturalists and so on.

4           It is my opinion that the other user  
5 groups often take a back seat. Past practices by  
6 forest companies are much different than what we see  
7 today. I believe Boise Cascade is concerned with the  
8 environmental impact of their industry. I also believe  
9 you catch more flies with honey. We must continue to  
10 express our concerns with the corporate giants and  
11 offer positive alternatives to operations we deem as  
12 environmentally sound.

13           The OFAH has propose a planning process  
14 based on adaptive management that truly incorporates  
15 integrated resources management. The idea of habitat  
16 supply analysis appeals to me. If it were used in the  
17 planning process or indeed practiced in the field, it  
18 could safeguard the other resources we hold so dearly.  
19 No plan is suitable unless it protects non-timber  
20 values. Timber companies want to have optimum economic  
21 opportunity. It is my feeling that the wishes of all  
22 concerned can only be resolved through dialogue, such  
23 as you have heard since these hearings commenced.

24           I do not envy your task. No matter what  
25 you decide you will not please all parties. This is

1 usually the end result of any negotiation. A better  
2 environment than what we have now must be the end  
3 result of the process. It is going to require some  
4 bending by all concerned.

5 At this point, I plan to focus on one  
6 issue that bothers me in the forest management process.  
7 I have grave concerns over the use of herbicides as a  
8 silvicultural tool. I feel reasonably qualified and  
9 comfortable in addressing this issue as I have had  
10 experience with spraying operations as a youngster -  
11 that was a few years ago.

12 I worked for Ontario Hydro in Sudbury,  
13 Ontario, I am sure Mr. Martel knows where that is. I  
14 assure you that we had little impact on Sudbury's lunar  
15 landscape. Inco was the chief culprit, but I  
16 understand many steps have been taken to abate the  
17 cause of so much environmental damage. The legacy of  
18 such economic freedom is evident when you drive through  
19 the area or fish the lakes affected by acid rain.

20 As a young student employed for the  
21 summer months, I spent five or six summers with Hydro  
22 spraying brush under transmission lines with a compound  
23 similar to Agent Orange, a horrendous concoction used  
24 as a defoliant in Vietnam. The lethal combination of  
25 2,4-D and 2,4,5-T was used extensively in the area. It

1 is more economical to kill the brush this way than to  
2 cut it. I remember the words of my foreman: It is  
3 safe enough to drink. On hot summer days we'd cool  
4 each other off by spraying ourselves with chemical  
5 water fights under the watchful eye of our boss. Safe  
6 enough to drink. Is there anyone in this room who'd  
7 like to have a glass and show me today.

8 2,4,5-T I am told is now banned and  
9 considered a dangerous chemical. 2,4-D was used to  
10 eliminate broad leaf vegetation and 50 pound kegs of  
11 2,4,5-T were added when conifer presented an additional  
12 problem. I vividly remember the smell and taste of  
13 this toxic presentation. No protective equipment was  
14 deemed necessary.

15 Yes, times have changed and 2,4,5-t is no  
16 longer used. Do we always have to learn from our  
17 mistakes? The proponent in this hearing maintains  
18 2,4-D, which is still used in broad leaf control, poses  
19 no significant health hazard. What do they mean by  
20 significant?

21 A group of Hydro foresters in New  
22 Brunswick formed an association called SODA, another  
23 acronym, we are filled with those, Sprayers of Dioxins  
24 Association in 1984. Their fight was for compensation  
25 for damages done to them while engaged in spraying

1 activities that I have described.

2 I have enclosed an article for your  
3 examination that explains our plight and this is -- I  
4 refer to it, Madam Chair, as Appendix 1.

5 MADAM CHAIR: Mr. Hedman, sorry, I don't  
6 want to interfere, we don't have page 7 in our copy.

7 MS. BLASTORAH: We don't have it either,  
8 Madam Chair.

9 MADAM CHAIR: We can arrange to get the  
10 missing page after --

11 MR. HEDMAN: I have some extras.

12 MADAM CHAIR: All right, thank you.

13 MS. BLASTORAH: Might I just ask whether  
14 the article is in fact appended to all of the copies?  
15 I don't seem to have that either.

16 MR. HEDMAN: No, it is not. I spoke to  
17 Michele earlier and she has assured me that she will  
18 make photocopies available because I want these back.

19 MS. BLASTORAH: Thank you very much.

20 MR. HEDMAN: I'm very sorry about page 7  
21 that is missing. I will make certain that I get that  
22 to you before you leave.

23 Do you have any questions on what I have  
24 gone through on it?

25 MADAM CHAIR: No, we heard you very



1 clearly, it is just a matter that it is not in here.

2 MR. HEDMAN: We have a brand new collator  
3 at the school, but perhaps some problems.

4 The article that I have just handed to  
5 Michele, it's for your own interest, is entitled - and  
6 this is what caught my interest - Safe Enough to Drink.  
7 The very words that my foreman used when I was back  
8 working for Hydro. It's taken from the Atlantic  
9 Insight Magazine.

10 "Of the 170 men involved, one third of  
11 them were dead at the time of writing and  
12 most of the rest were sick. Nothing can  
13 change their lives now. Dow and Hydro  
14 have learned."

15 My point is, why gamble with something  
16 because you can't prove it is harmful? Why not prove  
17 it's safe and then use it. Is economic impact at the  
18 forefront again? It's too late for these men. Ontario  
19 Hydro saw fit author a study on the program. I have a  
20 copy of their report for your examination, I refer to  
21 as Appendix 2.

22 MADAM CHAIR: All right, Mr. Hedman, why  
23 don't we give Appendix 1 an exhibit number. We will  
24 call it Exhibit No. 1179, and it consists of an article  
25 entitled: So Safe You Could Drink It, from the

1     ~~---~~Atlantic Insight Magazine.

2                     MR. HEDMAN: That is correct, Madam  
3     Chair.

4                     MADAM CHAIR: Dated May, 1984.

5                     MR. HEDMAN: That is correct.

6     ~~---~~EXHIBIT NO. 1179: Article entitled: So Safe You  
7                                     Could Drink It, from the Atlantic  
                                   Insight Magazine dated May, 1984.

8                     MADAM CHAIR: And Exhibit 1180.

9                     MR. HEDMAN: It is entitled: Mortality  
10    Analysis of Ontario Hydro Forestry Tradesmen Cohort,  
11    1950 to 1982.

12                    MR. MARTEL: Would you repeat that again,  
13    please?

14                    MR. HEDMAN: Mortality Analysis of  
15    Ontario Hydro Forestry Tradesmen Cohort, 1950 to 1982.

16                    MADAM CHAIR: And the author of that...?

17                    MR. HEDMAN: The author is Mr. L. M.  
18    green.

19    ~~---~~EXHIBIT NO. 1180: Report entitled: Mortality  
20                                     Analysis of Ontario Hydro  
21                                     Forestry Tradesmen Cohort, 1950  
                                   to 1982 authored by L.M. Green.

22                    MR. HEDMAN: May I go on?

23                    MADAM CHAIR: Yes, please.

24                    MR. HEDMAN: I was trying to check here  
25    and see where I left off. Okay. Once again they felt

1 more time was required before conclusive results could  
2 be found. The flaw presented in their statistics was  
3 the fact that they surveyed full-time employees when in  
4 fact most of the spraying was done by part-time summer  
5 help, like myself, while the full-time foresters acted  
6 as foremen.

7 No effort was made to survey the many  
8 students, such as myself, to check for health problems.  
9 That is a very poignant point, as far as I'm concerned.

10 As I understand it, after talking to a  
11 hydro forester, this is locally just last week, Hydro  
12 no longer uses 2,4-D because it can leach from the  
13 soil. 2,4,5-T is banned and the herbicide of choice  
14 for Hydro is now Torgon.

15 I know little about this chemical except,  
16 like most broadleaf herbicides, it is like a food that  
17 is forced fed into the plant and causes destruction of  
18 the cells. It is interesting to note that Hydro has  
19 curtailed roadside spraying and restricted spraying to  
20 high tension lines. It is the unconfirmed opinion of  
21 the forester I spoke to that Hydro will be completely  
22 out of spraying in a few years. The question I ask is  
23 simple: Why?

24 The proponent in this hearing has  
25 publicly declared that its spraying program poses no

1 significant health hazard. How do they know? Have  
2 they commissioned studies and published the results of  
3 the same for public scrutiny? I think not. Have the  
4 federal regulatory agencies been truly convinced that  
5 2,4-D is safe.

6 In their advertisements for spraying, I  
7 submit a copy for evidence. I suppose this is 1181?

8 MADAM CHAIR: Yes, that's right, Mr.  
9 Hedman. Thank you. And this is which, Mr. Hedman?

10 MR. HEDMAN: It is a notice of aerial  
11 spraying that appeared in the Fort Frances Times a week  
12 ago, Wednesday, May 16th.

13 MADAM CHAIR: Thank you.

14 ---EXHIBIT NO. 1181: Copy of Notice of Aerial  
15 Spraying, Fort Frances Times,  
Wednesday, May 16th.

16 MR. HEDMAN: In their advertisements for  
17 spraying the MNR maintains 2,4-D does not produce a  
18 hazard to insects, birds or wildlife. I cannot accept  
19 this. Indeed I will outline a study later in this  
20 presentation that refutes their premise.

21 Interestingly the study of effects of  
22 Vision on wildlife was authored by MNR employees but  
23 was not endorsed by MNR. The ad also maintains that  
24 2,4-D biodegrades in the soil within seven to nine  
25 weeks. What happens when it leaches into spawning



1 streams, lakes and rivers? Have there been any studies  
2 to verify their opinion that 2,4-D is harmless to fish?  
3 The entire ecosystem is affected when one part of the  
4 chain is tampered with.

5 It is my opinion that a product must be  
6 demonstrably safe before using. To say that there is  
7 not enough evidence to prove it's unsafe, is wrong. I  
8 guess I agree with the Missouri State: Show me.

9 The studies I received recently were  
10 completed north of Thunder Bay. I am pleased to offer  
11 these documents as evidence, if you have spare time to  
12 catch up on your reading.

13 I wish to comment on these studies  
14 because I feel they offer conclusive proof that the use  
15 of Vision to jump-start conifer stands is not  
16 environmentally sound practice; economically perhaps,  
17 but not environmentally.

18 The first study I refer to is entitled:  
19 Winter Utilization by Moose of Glyphosate Treated  
20 Cutovers. Glyphosate, if I'm pronouncing it correctly,  
21 is the correct term for the trade name Vision which is  
22 use by the proponent to control broadleaf vegetation.  
23 It's primary function is to control or kill broadleaf  
24 vegetation so that young conifers can get a jump on  
25 growth.

1                   The study indicates that:

2                   "Treated areas, treated with Vision, have  
3                   a negative impact on moose wintering  
4                   habits, as opposed to control areas where  
5                   there is no spraying. Glyphosate or  
6                   Vision reduces available moose browse and  
7                   thus habitat quality. Even after 43  
8                   months moose still frequented control  
9                   areas much more than sprayed areas. With  
10                  more moose congregating in one area  
11                  because of forest evacuation, the  
12                  availability of browse becomes a real  
13                  factor in mortality, especially for  
14                  cows carrying calves. With harsh winters  
15                  the impact is worse."

16                 I wish to quote from the section dealing  
17                 with summary and management implications, and I will be  
18                 submitting these two documents to you.

19                 MADAM CHAIR: Yes. Who is the author of  
20                 that study, Mr. Hedman, and I ask only because we have  
21                 seen other studies.

22                 MR. HEDMAN: The authors are Connor and  
23                 McMillan, and I have been told that you did receive  
24                 this, but if I'm not mistaken, this may be a more  
25                 recent copy. The one that I have was put out just last

1 month, and I don't know -- I still wish to submit it,  
2 and if it's the same one, then...

3 MADAM CHAIR: That's fine, Mr. Hedman.

4 Can you help me, Mr. Hanna, do we have  
5 that as an exhibit already?

6 MR. HANNA: Yes, Madam Chair. Mr. Hedman  
7 showed this to me last night and it's the first time I  
8 had seen it, and to the best of my knowledge the  
9 exhibits that were introduced were 771, and I believe  
10 Ms. Blastorah introduced a -- excuse me, I think it was  
11 Ms. Murphy, introduced 771A which was the updated  
12 version.

13 The original was Connor and Gratz and  
14 then I believe that Ms. Gratz got married and became  
15 Ms. McMillan and that was the updated version. So that  
16 was introduced --

17 MADAM CHAIR: So the way it stands is we  
18 already have this as an exhibit.

19 MS. BLASTORAH: But that is an --

20 MR. HANNA: No, no, it isn't.

21 MR. CASSIDY: 771 is Connor and Gratz, a  
22 1986 study.

23 MR. HANNA: Correct. And as I understand  
24 it, Madam Chair--

25 MR. HEDMAN: April, 1990.

1 MR. CASSIDY: - That sounds more up to  
2 date.

3 MR. HANNA: --this is a continuation of  
4 that study, but I haven't had a chance to look at it at  
5 all actually, quite honestly, but I believe it's a more  
6 up to date version of that same study that's just  
7 recently been published.

8 MADAM CHAIR: That's fine. We will give  
9 it another exhibit number then.

10 MR. HANNA: You might want to consider  
11 making it Exhibit 771B or something simply to keep them  
12 together, but it's up to you.

13 MADAM CHAIR: I think we will give it the  
14 exhibit number now and we will cross-reference it  
15 later. That will be Exhibit 1182.

16 ---EXHIBIT NO. 1182: April, 1990 version of study  
17 entitled: Winter Utilization by  
18 Moose of Glyphosate Treated  
Cutovers by Connor and McMillan.

19 MS. BLASTORAH: And could I just get the  
20 date on that one again? Since we seem to have several  
21 by the same authors, it might help to distinguish them.  
22 Was it April, 1990?

23 MR. HEDMAN: That is correct.

24 MS. BLASTORAH: Thank you.

25 MADAM CHAIR: Sorry for the interruption,



1 Mr. Hedman.

2 MR. HEDMAN: That's fine, it gave me a  
3 rest. Moose preferred -- and this is the quote, I have  
4 to go back here again, I am quoting from this document:

5 "Moose preferred the non-sprayed control  
6 areas to the treated areas after one  
7 growing season. In addition, the amount  
8 of browse consumed on controls was 32  
9 times greater than that on the treated  
10 areas after one growing season.

11 Estimated densities of moose derived from  
12 pellett group counts were nearly two  
13 times greater on the control areas after  
14 one growing season, indicating that moose  
15 spent relatively more time on the control  
16 areas than on the treated areas. It was  
17 postulated that increased browse  
18 availability on the non-sprayed controls  
19 reduced search effort resulting in higher  
20 energy returns per unit of search time.  
21 After two growing seasons, however, the  
22 difference in utilization between the two  
23 treatments had decreased to 4 times  
24 greater usage on the controls. This may  
25 be due in part to greater utilization of

1 the non-sprayed strips within the treated  
2 areas."

3 There were buffer strips left.

4 "This study, however, only presents the  
5 results of observations occurring on four  
6 cut-overs. For management purposes, both  
7 wildlife and forestry, the issue that  
8 needs to be considered is the effect of  
9 spraying sizeable contiguous areas.

10 What happens if large tracts are sprayed  
11 thereby substantially affecting food  
12 supplies within ranges of a number of  
13 moose? Will moose abandon these  
14 locations and disperse to other nearby  
15 areas, if such are available? Will moose  
16 have to increase their home range size in  
17 order to include enough non-sprayed or  
18 untreated areas for maintenance? How  
19 long does it take before sufficient  
20 browse is re-established on these sites  
21 so that moose can use them in an  
22 energy-efficient manner?

23 Winter is the most stressful time of year  
24 for ungulates in the northern hemisphere.  
25 Animals that weigh more at the beginning

1 of winter generally are in better  
2 condition and have a greater chance of  
3 surviving than those in poorer condition.

4 Summer range, therefore, plays an  
5 important role in survival.

6 This begs the question regarding how  
7 large an area should be considered for  
8 management in order to effectively  
9 integrate moose habitat needs with  
10 ongoing forestry activities.

11 Over the course of three or four years  
12 aerial applications of Glyphosate may  
13 result in large contiguous areas with  
14 reduced availability of seasonal moose  
15 forage. It is not very well understood  
16 how moose respond to major habitat  
17 changes within their home range. If  
18 moose choose or have no choice but to  
19 Remain after the Glyphosate treatment,  
20 then the affected browse resource could  
21 be limiting to a greater extent. This  
22 may contribute to winter mortality and  
23 hence a declining population.

24 Conversely, if moose leave their home  
25 range, increased energy expenditures for

1 travel in unfamiliar areas could occur.  
2 There are studies which show that habitat  
3 utilization by moose is related to browse  
4 availability, suggesting that moose  
5 distribution can be altered by  
6 manipulating browse supply. Therefore,  
7 the impact of Glyphosate could be reduced  
8 by dispersing the glyphosate treatments  
9 over a larger area resulting in a mosaic  
10 of sprayed/unsprayed cut area and shelter  
11 patches. This can best be achieved by  
12 originally dispersing the harvest blocks.  
13 In this manner, the necessary food  
14 component is available and accessible  
15 throughout the home ranges of moose  
16 reducing the need for long energy-  
17 consumptive movements between foods and  
18 cover. Areas next to critical habitat  
19 features such as mineral licks and summer  
20 aquatic areas should not be treated with  
21 glyphosate. Wildlife corridors, residual  
22 shelter patches and winter concentration  
23 areas should be treated in a similar  
24 fashion. Where it is necessary to spray  
25 cut-overs adjacent to these types of



1 habitat, a buffer strip should be left  
2 such as Hamilton/Drysdale 1975 propose  
3 to ensure accessible browse close to  
4 cover.

5 Wildlife managers must work closely with  
6 forest managers to produce suitable moose  
7 habitat and to determine where spray  
8 patterns can be modified so that  
9 sufficient browse is retained along  
10 prime habitats associated with the uncut  
11 forest edge or within partially cut  
12 areas.

13 The planning necessary to achieve moose  
14 habitat and forest management objectives  
15 must take place before investments have  
16 been made (scarification and planting)  
17 to renew the forest."

18 I want to repeat that statement:

19 "The planning necessary to achieve moose  
20 habitat and forest management objectives  
21 must take place before investments have  
22 been made to renew the forest.

23 Further research of our study areas is  
24 required to determine the long-term or  
25 20-year impact of Glyphosate on browse

1 biomass production after treatment."

2 A similar study was completed on the four  
3 cut-over areas for studying the effects of Vision on  
4 small mammals and lesser vegetation. The salient  
5 comments arising from this report, in my opinion, are  
6 as follows, and I quote -- this is a short one:

7 "Of the three main groups of small  
8 mammals generally referred to in the  
9 literature; voles, mice and shrews, the  
10 most likely to be adversely affected by  
11 herbicide application are the voles or  
12 micotanes. They are primarily grazers  
13 feeding on vegetative shoots and sprouts  
14 and may be affected more by the decrease  
15 in vegetative food resources. On the  
16 other hand, mice are predominantly seed  
17 eaters and shrews are insectivores.  
18 Thus neither of these would be  
19 susceptible to the decrease in vegetation  
20 as there may be enough seed producing  
21 plants and insects remaining after  
22 treatment.

23 The species richness and diversity of the  
24 small mammal communities tends to be low  
25 where the ground and shrub layers were

1            sparse such as on a cut-over area treated  
2            with herbicide, or under a mature forest  
3            canopy. No forest management practice in  
4            itself has a detrimental effect on the  
5            small mammals in general, but every  
6            practice may cause changes in some  
7            aspects of the mammal's community's  
8            structure and composition.

9            Managers must be aware of the possible  
10           cumulative effects of otherwise small  
11           impacts of forest management activities.  
12           The most significant question to be posed  
13           is whether the biological gains that are  
14           to be achieved by intensive site  
15           management are greater than the possible  
16           negative biological effects associated  
17           with the loss or alteration of wildlife  
18           habitat and the increased competition  
19           faced by young plantations from grasses  
20           and other vegetation that are able to  
21           compete with young crop trees."

22           This report was authored by two MNR  
23 employees.

24           As I mentioned earlier in this  
25 presentation, it is not enough to be critical, positive

1 alternatives need to be offered as a possible  
2 replacement for spraying. Until it can be proven safe  
3 and environmentally sound, could the job be done by  
4 employing locals to hand clear planted areas for the  
5 same result? I believe hand tending programs employ  
6 many of our native residents.

7                   Could conifer nurseries provide stock  
8 with ample maturity and size to eliminate the need for  
9 spraying?

10                   One-industry towns we hear should  
11 diversify. If it's true that we are planting one tree  
12 for every four that's cut, the message is clear,  
13 something must be done, and I suggest that these  
14 hearings could produce the ideas and the will to make  
15 it happen.

16                   I would like to enhance this presentation  
17 with a quote from a scientific conference held in B.C.  
18 in September, 1989. This conference was convened by  
19 United Nation's Education, scientific and Cultural  
20 Organization and the Royal Society of Canada.

21                   The scientist issued the Vancouver  
22 Declaration on Survival in the 21st Century. It warns:  
23                   "The situation facing mankind involves a  
24 collapse of any balance between our  
25 species and the rest of life on the



planet. Padoxically at the time when we stand at the threshold of degeneration of the ecosystem and degradation of human quality of life, knowledge and science are now in a position to prevent both the human creativity and the technology needed to take remedial action and rediscover harmony between nature and mankind. Only the social and political will is lacking."

I have already also read a document published by the NDP. I have no political points to score here. I was a campaign manager for Joe Marrelli and the Rhinocerus party here in the last election.

A few comments in that report, however I feel are worth repeating and I give the credit for these words to Bob Rae or his writer.

I quote:

"There is an urgent compelling need to change the society in which we live. A society with endless wants and the technology to satisfy them and to create new ones is on a collision course with a world whose resources are necessarily limited. The opportunity to consume is

1 satisfied at the expense of the rest of  
2 the world and at the expense of future  
3 generations. A respect for planet earth,  
4 a respect for our fellow citizens around  
5 the world and our love for our families  
6 to follow all require that both as  
7 individuals and as a society we must  
8 consume fewer resources, even if we want  
9 and would like to consume more.

10 Changing doesn't just mean changing  
11 other people, it means changing  
12 ourselves, changing our communities,  
13 changing our companies, changing how we  
14 produce things, distribute them and get  
15 rid of the waste. It is an exciting  
16 adventure because above all the  
17 environmental crisis puts the focus back  
18 on the question of what we all owe each  
19 other. Of necessity, we share the earth,  
20 the air, the water around us."

21 Sounds like our pledge.

22 "They are our common good, common not  
23 only to our own generation but common to  
24 future generations as well. We are here  
25 as trustees, as stewards, not just as

1 consumers."

2 Our MPP Howard Hampton - and I missed his  
3 presentation this morning - just last week in his  
4 weekly column in our newspaper addressed the topic of  
5 spraying, saying:

6 "While chemicals are used heavily in  
7 Ontario forests it is interesting to look  
8 at other jurisdictions that rely heavily  
9 on the forests for their economic base  
10 and jobs.

11 Neither Sweden nor Finland use  
12 herbicide or pesticides in their forests.  
13 Both of these countries produce higher  
14 volumes of quality wood per acre than  
15 we do in Ontario.

16 Closer to home, in Minnesota the use  
17 of herbicides is being discontinued in  
18 the national forests located in that  
19 state. Guidelines to significantly  
20 reduce herbicide use in Minnesota's state  
21 forest have also been established.

22 Nevertheless, forestry remains an  
23 important part of Minnesota's economy  
24 with the volume and quality of wood wood  
25 produced remaining high.

1           Should the heavy use of chemical  
2           sprays in our northern Ontario forests  
3           continue or should it be reduced or  
4           totally eliminated?

5           Should the decision be solely that  
6           of the pulp and paper companies and the  
7           timber management section of the MNR, or  
8           should everyone have some part in these  
9           decisions which may effect the quality of  
10          the air we breath and the water in our  
11          lakes and rivers?"

12          At this point I do want to bring up a  
13          little bit more information before I hit my concluding  
14          comments and these are based on information that I  
15          discovered at midnight last night when I got home and  
16          read the newspaper.

17          There was an article in last night's Fort  
18          Frances Times written by Henry Miller, a member of our  
19          club, and we had a meeting a couple of weeks ago in  
20          which Randy Wepruk -- Mr. Randy Wepruk - Randy is the  
21          fish and wildlife biologist with MNR here locally.  
22          Randy gave us the report on the moose herd population  
23          and it's apparent from this that the moose herd is  
24          dwindling in the areas outside of zones 9A and 9B, and  
25          I'm wondering, even with the selective harvest system



1 being in place this is happening. How much are the  
2 hunters giving up in order to keep the herd up. One  
3 contributing factor has to be, for instance, forest  
4 management techniques as were carried on perhaps 10  
5 years ago.

6 I would like to quote what Randy said,  
7 and this is the way it was written in the paper:

8 "There are numerous influences on  
9 animal population, habitat, disease, fire  
10 and overharvesting. Within the next few  
11 years some residual stands of conifer  
12 trees, those blocks which have been left  
13 standing, may be cut. Herbicidal  
14 spraying will continue and possibly  
15 increase. We will have to wait and  
16 find out what effects this will have on  
17 the existing and future moose herds, said  
18 Wepruk."

19 Randy is a friend of mine and I don't  
20 agree, 'We will have to wait and find out what effects  
21 this will have on existing and future moose herds',  
22 This does not sound to me like responsible management.

23 There was a second article, in fact it  
24 was the headlines in our newspaper, if you didn't read  
25 it. I don't intend to get into this in any great

1 detail, but I do want to draw the Panel's attention to  
2 it. The headline reads: "MOE Find Dioxins Traces in  
3 Clams in Frog Creek."

4 I have been concerned since I have been a  
5 member of the Fort Frances Sportsmen's Club with a  
6 chunk of property that's located at the north end of  
7 the range that we have. We own about a section of land  
8 down at the north end of Frog Creek Road and there is a  
9 landfill site in there, I'm not sure what's in there, I  
10 believe it's bark and waste material from Boise, I  
11 don't have the background on it.

12 But I was there a couple of years ago on  
13 my snow machine just checking things out, we were going  
14 to do a deer habitat project in there and, to my  
15 chagrin, I was coming off one of the far banks and I  
16 noticed this black sludge or looked like oil oozing  
17 out.

18 And we did contact MOE. I don't know  
19 what's going on with it. I don't profess to be an  
20 expert, I'm not 50 miles away from home carrying a  
21 briefcase, but we were assured there was no problem.

22 I am concerned when I read the headlines  
23 that dioxins have been found in these clams in Frog  
24 Creek because I believe the water from that particular  
25 area also drains into Frog Creek. The newspaper

1 article maintains it's coming from the landfill site, I  
2 think they refer to as a ski hill.

3 I would like to see something done and  
4 have that area on our property checked out and have it  
5 checked out thoroughly and have the results of that  
6 particular study made public.

7 I have a second point I would like to  
8 score before closing --

9 MADAM CHAIR: Excuse you, Mr. Hedman,  
10 could we exhibit those two newspaper articles.

11 MR. HEDMAN: Most certainly, Madam Chair.

12 MADAM CHAIR: We will put them together  
13 in Exhibit 1183. And could you give me the dates and  
14 the titles of the articles again?

15 MR. HEDMAN: I don't believe I have it on  
16 here. It was yesterday, would that be the 23rd of May?

17 MADAM CHAIR: Was that also -- yes,  
18 that's fine, thank you.

19 ---EXHIBIT NO. 1183: Two newspaper articles appearing  
20 in Fort Frances Times Wednesday,  
21 May 23, 1990 submitted by Mr.  
Hedman.

22 MR. HEDMAN: A second point I would like  
23 to make, I have to. I don't feel that I will have done  
24 my job unless I've expressed my chagrin - I know it is  
25 not within your jurisdiction - but I was appalled to

1 find out that my Federation did not receive intervenor  
2 funding to fight this battle on behalf of our  
3 conservation activities.

4 Members in our community, when they find  
5 out that perhaps as much as 10 per cent of their annual  
6 membership - which isn't a great deal of money - but  
7 when they find out that 10 per cent of that money is  
8 going into presenting their case to this Class  
9 Environmental Assessment Hearing, I think many of them  
10 would be upset as I am. I would like that 10 per cent  
11 put into conservation activities.

12 A third thing I want to say, I feel it is  
13 important, I hope people in this room do not look upon  
14 the OFAH as an antagonistic or an enemy, we are here I  
15 think to offer our views and I know from my own  
16 experience locally, we have a very good relationship  
17 with the Ministry of Natural Resources, many of them  
18 are our friends, they've helped us out a great deal and  
19 we know that they're going to be relying on us down the  
20 road as well. So I want to point out that out. We are  
21 here for that purpose and we want to offer positive  
22 help, we're all sharing the same goal.

23 The last statement that I want to -- or  
24 the last thing I want to touch on is just to show you  
25 an example of how a corporate giant can cooperate.



1 About three weeks ago I was down in Nipigon, Ontario to  
2 a zone 1 meeting and an MNR fisheries biologist - I  
3 can't remember the gentleman's name - but he presented  
4 a study that he did to show what the effects of low  
5 water levels were on the spawning ability of the brook  
6 trout in the Nipigon River.

7 This young fellow, very impressive, he  
8 did I think was close to two years work research into  
9 this, and with his findings he approached Ontario Hydro  
10 and let them know that it was the result of the dam  
11 they had on that river that these spawning beds were  
12 left high and dry.

13 And to make a long story short, two  
14 Ontario Hydro officials were at that meeting and we  
15 just about fell out of our chairs because they made the  
16 pronouncement that they were going to maintain a  
17 guaranteed minimum water flow on that river so that the  
18 fish could spawn. That to me was a breath of fresh  
19 air.

20 I have been attending IJC meetings here  
21 now, I've given up, I've been doing it for six years,  
22 and I'm not pointing the finger at Boise Cascade but,  
23 however, at Kabetogama - don't ask me to spell it -  
24 Rainy Lake, the water levels quite often are very very  
25 low and many spawning beds in this area are left high

1 and dry.

2 I realize it is the International Joint  
3 Commission, and the pat answer we get is: Sorry, we  
4 can't accommodate you because Fort Frances is just a  
5 small cog in the wheel and what goes on in Winnipeg and  
6 all the way down the line has to be considered. So  
7 when I heard Ontario Hydro say they were concerned, I  
8 thought: Boy, maybe there is some ammunition.

9 I do understand in talking with our  
10 district manager, Mr. Taylor - in fact I was talking to  
11 him yesterday - I understand there is a joint  
12 presentation coming up with MNR locally and the DNR.  
13 from Minnesota to address this very issue and I think  
14 it's long overdue.

15 Having said all that, I thank you for the  
16 opportunity to comment and present my opinions. With  
17 the tons of evidence and words already spoken, I hope  
18 that what I've had to say will have some impact.

19 I hope your stay in Fort Frances was both  
20 enjoyable and informative. The fact that the Class EA  
21 Hearings chose Fort Frances as one of the satellite  
22 sites has made me think through the issues and do some  
23 research. It has strengthened my resolve that we are  
24 fortunate to have this land and to ensure that it will  
25 be here for generations to come. Together we can do

1 it.

2 Thank you.

3 MADAM CHAIR: Thank you very much, Mr.  
4 Hedman.

5 Are there any questions for Mr. Hedman?

6 (no response)

7 Mr. Hedman, you made reference to some,  
8 did you call them areas or zones. Which zones were you  
9 talking about?

10 MR. HEDMAN: I made reference to zones in  
11 a number of places in here. I did make a reference to  
12 zones for hunting, 9A and 9B. I also -- is that what  
13 you're after?

14 MADAM CHAIR: Yes. Are those  
15 administrative zones?

16 MR. HEDMAN: Yes, they are. They're  
17 wildlife --

18 MR. HANNA: Wildlife management.

19 MADAM CHAIR: Wildlife management.

20 MR. HEDMAN: Wildlife management, sorry.

21 MADAM CHAIR: All right. My stomach is  
22 grumbling too, I guess.

23 MADAM CHAIR: Your presentation was  
24 clear, Mr. Hedman. I don't have any more questions.

25 Does anyone in the audience wish to

1 question Mr. Hedman?

2 (no response)

3 Thank you very much.

4 MR. HEDMAN: Everybody must be hungry.

5 Thank you.

6 MADAM CHAIR: Is there anyone else in the  
7 audience what wishes to make a submission to the Board  
8 or comment about anything that's gone on in these  
9 hearings in the last two days?

10 (no response)

11 All right. I think we will adjourn the  
12 Timber Management Hearing in Fort Frances.

13 We want to thank everybody who has  
14 attended.

15 The Board has been very impressed with  
16 the large number of people who have attended this  
17 session and, as I said, we listen carefully to all of  
18 the evidence that's been given to us and certainly will  
19 be considering everything that's been said here for the  
20 last two days.

21 Thank you very much.

22 We will resume in Toronto on Monday  
23 morning at 10:00 a.m. at 151 Bloor Street.

24 Thank you very much.

25



1  
2  
3 ---Whereupon the hearing adjourned at 5:45 p.m., to be  
4 reconvened at the offices of the Ontario Highway  
5 Transport Board, 10th Floor, 151 Bloor Street West,  
6 Toronto, Ontario, on Monday, May 28th, 1990,  
7 commencing at 10:00 a.m.  
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